

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

August 7, 2006

CALL TO PODIUM:

Frederick J. Felton
Assistant City Manager

RESPONSIBLE STAFF:

Frederick J. Felton
Assistant City Manager
Greg Ossont, Director
Planning & Code Administration

AGENDA ITEM:

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
	Public Hearing
	Historic District
	Consent Item
	Ordinance
X	Resolution
	Policy Discussion
	Work Session Discussion Item
	Other:

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	
Hearing Date	
Record Held Open	
Policy Discussion	

TITLE:

Resolution Authorizing the Annexation to the City of Gaithersburg of Approximately 182.81725 Acres Of Land Adjacent to the Present Corporate Limits, Known As the Crown Property, Located At the Southwest Side Of Fields Road, Bounded By Sam Eig Highway to the Northwest and Omega Drive to the Southeast

SUPPORTING BACKGROUND:

This resolution would formally annex the Crown Farm and is consistent with the proposed annexation agreement.

There are a total of 197 exhibits in the record file. The highlighted items on the attached index of Memoranda are enclosed. If you would like a copy of any other exhibit, please let me know.

The record closed as of 5:00 pm on August 2, 2006

DESIRED OUTCOME:

Vote on Resolution

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE ANNEXATION
TO THE CITY OF GAITHERSBURG OF
APPROXIMATELY 182.81725 ACRES OF LAND ADJACENT TO
THE PRESENT CORPORATE LIMITS, KNOWN AS THE CROWN PROPERTY,
LOCATED AT THE SOUTHWEST SIDE OF FIELDS ROAD,
BOUNDED BY SAM EIG HIGHWAY TO THE NORTHWEST
AND OMEGA DRIVE TO THE SOUTHEAST

Annexation X-182

WHEREAS, the Mayor and City Council of Gaithersburg have received a petition requesting the enlargement of the corporate boundaries of the City of Gaithersburg so as to include the above-noted parcels; and

WHEREAS, the signatures of the said petition for annexation have been verified and it has been ascertained that the persons signing said petition are owners of not less than twenty-five percent (25%) of the assessed valuation of the real property located in the area to be annexed, and constitute not less than twenty-five percent (25%) of the persons who reside in the area to be annexed, and who are registered as voters in County elections in the precincts in which the territory to be annexed is located:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Gaithersburg, that the corporate boundaries of the City of Gaithersburg be, and they hereby are, enlarged by including therein the following area:

DESCRIPTION OF PROPERTY

The area of land contained by the foregoing amounts to 7,963,519 square feet, or 182.81725 acres of land, more or less, together with and subject to appurtenances and encumbrances of record or in use.

METES AND BOUNDS DESCRIPTION
ANNEXATION PARCEL
GAITHERSBURG ELECTION DISTRICT No. 9
MONTGOMERY COUNTY, MARYLAND

Being all of the property acquired by Crown Village Farm, LLC, a Delaware limited liability company, from (i) Catherine Virginia Stinson; (ii) Kenneth Crown, Personal Representative of the Estate of Charlie O. Crown, Deceased, (also known as Charles Oliver Crown and Charles O. Crown); (iii) Lorraine B. Crown, individually and as Personal Representative of the Estate of James Forrest Crown, Deceased, (also known as James F. Crown) by deed dated September 14, 2005 and recorded among the Land Records of Montgomery County, Maryland in Liber 30800 at folio 506; also being part of the property acquired by Crown Village Farm, LLC, a Delaware limited liability company, from Lorraine B. Crown, surviving tenant by the entireties of James

Forrest Crown, (also known as James F. Crown), by deed dated September 14, 2005 and recorded among the Land Records of Montgomery County, Maryland in Liber 30800 at folio 517; also being part of the property acquired by Crown Village Farm, LLC, a Delaware limited liability company, from Kenneth Crown, Personal Representative of the Estate of Charlie O. Crown, Deceased, (also known as Charles Oliver Crown and Charles O. Crown) by deed dated September 14, 2005 and recorded among the Land Records of Montgomery County, Maryland in Liber 30800 at folio 527; also being all of the property acquired by Crown Village Farm, LLC, a Delaware limited liability company, from Catherine C. Stinson and Clyde A. Stinson by deed dated September 14, 2005 and recorded among the Land Records of Montgomery County, Maryland in Liber 30800 at folio 537; also being all of Tract 2 of the property acquired by Meridian/Northwestern Shady Grove West, LLC, a Delaware limited liability company, from Shady Grove Associates II, LLC, a Maryland limited liability company, by deed dated October 31, 2002 and recorded among the Land Records of Montgomery County, Maryland in Liber 22261 at folio 137; also being part of the right of way of Sam Eig Highway as shown on Montgomery County, Maryland Department of Transportation Right of Way Plats 256, 257 and 259; also being part of the right of way of Fields Road as shown on Montgomery County, Maryland Department of Transportation Right of Way Plat 205; and also being all of the right of way of Diamondback Drive (now known as Research Boulevard) as shown on Montgomery County, Maryland Department of Transportation Right of Way Plat 19 and being more particularly described as follows:

Beginning for the same at a rebar found on the easterly right of way line of Sam Eig Highway as shown on Montgomery County, Maryland Department of Transportation Right of Way Plat 259 and at the beginning of the 1st or North 20° 03' 28" East, 600.69 foot line described in Liber 30800 at Folio 506; thence crossing Sam Eig Highway the following course and distance:

1. South 89° 52' 29" West, 159.81 feet to a rebar found on the westerly right of way line of Sam Eig Highway as shown on Montgomery County, Maryland Department of Transportation Right of Way Plat 259; thence running with the westerly right of way line of Sam Eig Highway as shown on Montgomery County, Maryland Department of Transportation Right of Way Plats 256, 257 and 259, crossing the intersection of Diamondback Drive, the following 3 courses and distances
2. North 20° 03' 28" East, 655.82 feet, tangent, to a point of curvature; thence
3. 608.64 feet along the arc of a curve deflecting to the right, having a radius of 3891.73 feet (chord: North 24° 32' 17" East, 608.02 feet) to a point of compound curvature; thence
4. 277.35 feet along the arc of a curve deflecting to the right, having a radius of 15888.02 feet (chord: North 29° 31' 07" East, 277.35 feet) to a point; thence crossing Sam Eig Highway the following course and distance, tangent

5. South 69° 50' 59" East, 197.67 feet to a point at the beginning of the 5th line described in Liber 30800 at folio 506; thence running with said 5th line and binding on the southerly right of way line of Fields Road as shown on Montgomery County, Maryland Department of Transportation Right of Way Plat 256 the following course and distance
6. North 87° 05' 41" East, 234.25 feet to an iron pipe found at the beginning of the 6th line described in Liber 30800 at folio 506; thence running with said 6th line, with the 1st line described in the aforesaid deed recorded in Liber 30800 at folio 537 and binding on the southerly right of way line of Fields Road as shown on Montgomery County, Maryland Department of Transportation Right of Way Plat 206 the following course and distance
7. North 84° 48' 15" East, 300.24 feet to a point; thence running with the 2nd and 3rd lines described in Liber 30800 at folio 537 and binding on the southerly right of way line of Fields Road as shown on Montgomery County, Maryland Department of Transportation Right of Way Plat 206 the following 2 courses and distances
8. North 87° 05' 41" East, 130.84 feet, tangent, to a point of curvature; thence
9. 648.10 feet along the arc of a curve deflecting to the right, having a radius of 780.00 feet (chord: South 69° 06' 07" East, 629.62 feet) to a rebar and cap found at a point of tangency; thence running with the 4th line described in Liber 30800 at folio 537, with the 10th line described in Liber 30800 at folio 506 and binding on the southerly right of way line of Fields Road as shown on Montgomery County, Maryland Department of Transportation Right of Way Plat 206 the following course and distance
10. South 45° 17' 55" East, 123.10 feet to a rebar and cap found; thence running with the 11th through the 13th lines described in Liber 30800 at folio 506 and binding on the southerly right of way line of Fields Road as shown on Montgomery County, Maryland Department of Transportation Right of Way Plat 206 the following 3 courses and distances
11. South 44° 42' 05" West, 35.00 feet to a rebar and cap found; thence
12. South 45° 17' 55" East, 130.00 feet to a rebar and cap found; thence
13. North 44° 42' 05" East, 35.00 feet to a rebar and cap found at the beginning of the 14th line described in Liber 30800 at folio 506; thence running with said 14th line, with the 3rd line of Parcel Two as described in the aforesaid deed recorded in Liber 30800 at folio 527 and binding on the southerly right of way line of Fields Road as shown on Montgomery County, Maryland Department of Transportation Right of Way Plats 206 and 205 the following course and distance
14. South 45° 17' 55" East, 606.04 feet, tangent, to a point of curvature; thence running with the 4th line of Parcel Two as described in Liber 30800 at folio 527 and binding on the southerly right of way line of Fields Road

as shown on Montgomery County, Maryland Department of Transportation Right of Way Plat 205 the following course and distance

15. 291.33 feet along the arc of a curve deflecting to the left, having a radius of 1040.00 feet (chord: South 53° 19' 24" East, 290.37 feet) to a rebar and cap found; thence leaving said southerly right of way line of Fields road and running with the 5th line and part of the 6th line of Parcel Two as described in Liber 30800 at folio 527 and binding on the southerly lines of Outlot A as shown on a plat of subdivision entitled "Washingtonian Center" and recorded among the aforesaid Land Records as Plat 15996 the following 2 courses and distances non-tangent
16. South 46° 01' 12" East, 243.31 feet to a rebar and cap found; thence
17. North 66° 13' 50" East, 137.92 feet to a rebar and cap found; thence running, in part, with the easterly line of Outlot A as shown on the aforesaid Plat 15996 and crossing Fields Road the following course and distance
18. North 18° 12' 45" East, 84.84 feet to an iron pipe found on the northerly right of way line of Fields Road as shown on Montgomery County, Maryland Department of Transportation Right of Way Plat 205; thence running with said northerly right of way line the following course and distance
19. South 77° 30' 08" East, 111.19 feet to a point; thence leaving said northerly right of way line and crossing Fields Road the following course and distance
20. South 12° 29' 52" West, 115.00 feet to a point within Parcel Two as described in Liber 30800 at folio 527; thence running in, through over and across Parcel Two as described in Liber 30800 at folio 527 the following course and distance
21. South 77° 30' 08" East, 357.40 feet to a point within Parcel Two as described in Liber 30800 at folio 527; thence running in, through over and across Parcel Two as described in Liber 30800 at folio 527, Parcel One as described in Liber 30800 at folio 527 and the property described in the aforesaid deed recorded in Liber 30800 at folio 517 the following course and distance
22. South 70° 47' 38" East, 1796.49 feet to a point on the 8th line described in Liber 30800 at folio 517; thence running, in part, with said 8th deed line, with the easterly outline of Tract 2 of the property acquired by Meridian/Northwestern Shady Grove West, LLC, a Delaware limited liability company, from Shady Grove Associates II, LLC, a Maryland limited liability company, by deed dated October 31, 2002 and recorded among the Land Records of Montgomery County, Maryland in Liber 22261 at folio 137 and binding on the westerly right of way line of Omega Drive as shown on Montgomery County, Maryland Department of Transportation Right of Way Plat 54 the following course and distance non-tangent

23. 353.45 feet along the arc of a curve deflecting to the right, having a radius of 285.00 feet (chord: South 02° 06' 13" East, 331.23 feet) to a point of tangency; thence running with the easterly outline of Tract 2 as described in Liber 22261 at folio 137 and with the westerly right of way line of Omega Drive as shown on a plat of street dedication entitled "Decoverly Hall" and recorded among the Land Records of Montgomery County, Maryland as Plat Number 15546 the following course and distance
24. South 33° 25' 30" West, 944.71 feet, tangent, to a point of curvature; thence running, in part, with the easterly outline of the property described in Liber 22261 at folio 137, in part, with part of the 10th line described in Liber 30800 at folio 517 and with the westerly right of way line of Omega Drive as shown on the aforesaid Plat Number 15546 and as shown on Montgomery County, Maryland Department of Transportation Right of Way Plat 54 the following course and distance
25. 206.36 feet along the arc of a curve deflecting to the right, having a radius of 444.80 feet (chord: South 46° 43' 04" West, 204.51 feet) to a point of tangency; thence running with the 11th line described in Liber 30800 at folio 517 and with the westerly right of way line of Omega Drive as shown on Montgomery County, Maryland Department of Transportation Right of Way Plat 19 the following course and distance
26. South 60° 00' 30" West, 100.00 feet, tangent, to a point of curvature; thence running, in part, with the 12th line described in Liber 30800 at folio 517 and with the westerly right of way line of Omega Drive as shown on Montgomery County, Maryland Department of Transportation Right of Way Plat 54, crossing the intersection of Diamondback Drive (now known as Research Boulevard) as shown on said Right of Way Plat 19, the following course and distance
27. 266.90 feet along the arc of a curve deflecting to the left, having a radius of 1136.40 feet (chord: South 53° 16' 48" West, 266.29 feet) to a point of tangency; thence crossing the intersection of Diamondback Drive (now known as Research Boulevard) as shown on said Right of Way Plat 19, the following course and distance
28. South 46° 33' 05" West, 39.61 feet to a point; thence running with the southerly right of way lines of Diamondback Drive (now known as Research Boulevard) as shown the aforesaid Right of Way Plat 19 the following 3 courses and distances
29. North 01° 33' 05" East, 35.36 feet to a point; thence
30. North 43° 26' 55" West, 133.60 feet, tangent, to a point of curvature; thence
31. 203.26 feet along the arc of a curve deflecting to the left, having a radius of 822.09 feet (chord: North 50° 31' 54" West, 202.74 feet) to a point; thence running with the southerly limit of dedication of Diamondback Drive (now known as Research Boulevard) as shown on the aforesaid Right of Way Plat 19, running with the 17th line described in Liber 30800

at folio 517 and binding on the northeasterly line of Parcel LL as shown on a plat of subdivision entitled "Discoverly Hall" and recorded among the aforesaid Land Records as Plat Number 17631 and the northeasterly line of Outlot 5 as shown on a plat of subdivision entitled "Discoverly Hall" recorded among the aforesaid Land Records as Plat Number 17633 the following course and distance non-tangent

32. North 43° 26' 54" West, 386.28 feet to an iron pipe found at the beginning of the 1st line described in Liber 30800 at folio 517; thence running with said 1st line, with the 1st line of Parcel One as described in Liber 30800 at folio 527, with the 12th line of Parcel Two as described in Liber 30800 at folio 527 and binding on the northerly line of Outlot 5 as shown on a plat of subdivision entitled "Discoverly Hall" and recorded among the aforesaid Land Records as Plat Number 17633, the northerly line of Parcel MM as shown on a plat of subdivision entitled "Discoverly Hall" and recorded among the aforesaid Land Records as Plat Number 17632, the northerly termination of Discoverly Drive as shown on plats of subdivision entitled "Discoverly Hall" and recorded among the aforesaid Land Records as Plats Numbered 17632 and 18851, and the northerly line of Parcel A, Block 4 as shown on a plat of subdivision entitled "Discoverly Adventure" and recorded among the aforesaid Land Records as Plat Number 17658 the following course and distance
33. North 72° 13' 43" West, 1890.65 feet to a point; thence running with the 13th line of Parcel Two as described in Liber 30800 at folio 527 and binding on the northerly line of the aforesaid Parcel A, Block 4 "Discoverly Adventure" as shown on the aforesaid Plat Number 17658 the following course and distance
34. North 84° 52' 25" West, 660.45 feet to a rebar and cap found; thence running with the 14th line of Parcel Two as described in Liber 30800 at folio 527 and binding on the northeasterly line of Parcel B, Block 4 as shown on the aforesaid Plat Number 17658 the following course and distance
35. North 25° 17' 00" West, 920.80 feet to a pinch pipe found; thence running with the 17th through 19th lines described in Liber 30800 at folio 506 and binding on the northerly lines Parcel B, Block 4 as shown on a plat of subdivision entitled "Discoverly Adventure" and recorded among the aforesaid Land Records as Plat Number 17658, the northerly termination of Diamondback Drive as shown on a plat of subdivision entitled "Discoverly Adventure" and recorded among the aforesaid Land Records as Plat Number 17657 and the northerly line of Parcel E, Block 1 as shown on a plat of subdivision entitled "Discoverly Adventure" and recorded among the aforesaid Land Records as Plat Number 18721 the following 3 courses and distances
36. South 56° 05' 32" West, 216.55 feet to a rebar found, passing over a rebar and cap found on line at 189.13 feet; thence
37. North 78° 19' 52" West, 274.10 feet to a point, passing over a rebar and cap found on line at 79.03 feet; thence

38. North 89° 31' 50" West, 393.46 feet to the Point of Beginning; containing 7963519 square feet or 182.81725 acres of land.

BE IT FURTHER RESOLVED, by the Mayor and City Council of the City of Gaithersburg, that this Resolution shall become effective forty-five (45) days following its adoption, unless a prompt petition for referendum thereon shall be filed as permitted by law, and provided further that the notice required by law in connection with such referendum shall be published not fewer than two (2) times, at not less than weekly intervals, in *The Gaithersburg Gazette*, a newspaper of general circulation in the City of Gaithersburg.

BE IT FURTHER RESOLVED, by the Mayor and City Council of the City of Gaithersburg, that this annexation shall be subject to the terms and conditions of an annexation agreement by and between the Property Owner(s) and the City of Gaithersburg and any amendment which may be hereafter enacted thereto.

BE IT FURTHER RESOLVED, by the Mayor and City Council of the City of Gaithersburg, that promptly after this Resolution shall become effective, the City Manager shall send copies of said Resolution to the following:

<u>Number of Copies</u>	<u>Agency</u>
1	Department of Legislative Reference
1	Clerk of the Circuit Court for Montgomery County
1	Supervisor of Assessments for Montgomery County
1	Maryland-National Capital Park and Planning Commission

BE IT FURTHER RESOLVED, by the Mayor and City Council of the City of Gaithersburg, that the property described above and persons residing therein, if any, shall, after the effective date of this Resolution, be added to the corporate boundaries and subject to all of the Charter laws, ordinances and resolutions of the City of Gaithersburg, Maryland.

ADOPTED by the Mayor and City Council of the City of Gaithersburg this 7th day of August, 2006.

SIDNEY A. KATZ, MAYOR and
President of the Council

THIS IS TO CERTIFY that the foregoing Resolution was introduced by the City Council of the City of Gaithersburg on the 19th day of December, 2005, and adopted by the City Council, in public meeting assembled, on the 7th day of August, 2006.

This annexation will become effective on the 21st day of September, 2006.

David B. Humpton, City Manager

Joint Public Hearing
Mayor and City Council
Planning Commission
February 6, 2006
Planning Commission Recommendation
April 19, 2006
Mayor & City Council Policy Discussion
August 7, 2006

INDEX OF MEMORANDA
X-182 – CROWN PROPERTY ANNEXATION
182.81725 ACRES
(Crown Village Farm, LLC and Catherine & Clyde Stinson)

No.

- 1) Application for Annexation filed November 14, 2005
- 2) Letter (3-pages) to Mayor and City Council from Barbara A. Sears and Joseph P. Lapan (Linowes and Blocher), dated November 14, 2005
- 3) Petition for Annexation (3 pages of text and 3 pages of Notary Certification) submitted November 14, 2005
- 4) Metes and Bounds Description of Property to be annexed (11 page document) as prepared by Rodgers Consulting, Inc. July 2005, Job No. 575-C1 (also marked as Exhibit "A")
- 5) Boundary Survey and Annexation Plat as prepared by Rodgers Consulting, Inc. in October 2005 (also marked as Exhibit "B" in Petition for Annexation) Large Size
- 6) Boundary Survey and Annexation Plat (small size)
- 7) Copy of Tax Map FS342, with property outlined (also marked as Exhibit "C" in the Petition for Annexation)
- 8) List of persons who reside on the Crown Property and are registered voters (also referred to as Exhibit "D" in the Petition for Annexation)
- 9) List of names and addresses of person with ownership interests in property and parcel numbers (also referred to as Exhibit "E" in Petition for Annexation)
- 10) Certified copy of Montgomery County Zoning Map (also referred to as Exhibit "F" in the Petition for Annexation. Large size
- 11) Certified copy of Montgomery County Zoning Map. Small size

X-182 Crown Property
Index of Memoranda

- 12) Vicinity Map showing location of the property
- 13) Names and addresses of adjacent property owners within 250 feet prepared by applicant
- 14) General information narrative on property prepared by Rodgers Consulting, Inc.
- 15) City of Gaithersburg Zoning Map
- 16) Report titled: "The Crown Property, Gaithersburg, Maryland, Natural Resources Inventory/Forest Stand Delineation Plan" Prepared by Rodgers Consulting, Inc. and approved by City of Gaithersburg.
- 16A) Natural Resources Inventory/Forest Stand Delineation Plan Sheet 1 of 3, Large size
- 16B) Natural Resources Inventory/Forest Stand Delineation Plan, Sheet 2 of 3, Large size
- 16C) Natural Resources Inventory/Forest Stand Delineation Plan, Sheet 3 of 3, Large size
- 17A) Natural Resources Inventory/Forest Stand Delineation Plan, Sheet 1 of 3, Small size
- 17B) Natural Resources Inventory/Forest Stand Delineation Plan, Sheet 2 of 3, Small size
- 17C) Natural Resources Inventory/Forest Stand Delineation Plan, Sheet 3 of 3, Small size
- 18) Letter from Barbara Sears and Joseph Lapan (Linowes and Blocher) to the City Council dated December 1, 2005
- 19) Land Use Plan MXD Concept/Sketch Plan (Sheet 1 of 5) Large Size
- 19A) Land Use Plan MXD Concept/Sketch Plan (Sheet 1 of 5) Small size
- 20) Boundary Survey MXD Concept/Sketch Plan (Sheet 2 of 5) Large Size
- 20A) Boundary Survey MXD Concept/Sketch Plan (sheet 2 of 5) Small size
- 21) Surrounding Uses and Road Network Plan MXD Concept/Sketch Plan (Sheet 3 of 5) Large Size
- 21A) Surrounding Uses and Road Network Plan, MXD Concept?Sketch Plan (Sheet 3 of 5) Small size
- 22) Phasing Plan MXD Concept/Sketch Plan (Sheet 4 of 5) Large size
- 22A) Phasing Plan MXC Concept/Sketch Plan (Sheet 4 of 5) Small size

- 23) Natural Resources Inventory and Forest Stand Delineation, MXD Concept/Sketch Plan (Sheet 5 of 5) Large size
- 23A) Natural Resources Inventory and Forest Stand Delineation, MXD Concept/Sketch Plan (Sheet 5 of 5) Small size
- 24) Narrative: "Demonstration of Compliance with Master Plan Recommendations" prepared by applicant
- 25) Package for Mayor and City Council's introduction of proposed annexation at their meeting of December 19, 2005
- 26) Notice to *Gaithersburg Gazette* for inclusion of legal ad in the December 28, 2005 and January 4, 11, and 18 issues for advertisement of the joint public hearing on February 6, 2006
- 27) Notice of Public Hearing with location map sent December 23, 2005 to required parties
- 28) Outline of Public Facilities sent to required public agencies December 23, 2005
- 29) Copy of mailing labels (to property owners within 500 feet) used for notice of public hearing mailed December 23, 2005
- 30) Shady Grove Study Area, 1990, Excerpt on Transportation
- 31) Shady Grove Study Area, Land Use Plan Recommendations, Chapter Five
- 32) Copy of legal ad which appeared four times December 28, 2005 January 4, 11, and 18, 2006
- 32A) Package for Joint Public Hearing of February 6, 2006

Exhibits received at or after the Joint Public Hearing on February 6, 2006.

- 33) Memoranda to Greg Ossont from Linowes and Blochers dated February 6, 2006 referencing the Shady Grove Study Area Master Plan recommendations for the Crown property
- 34) Memorandum of Understanding among Montgomery County, Rockville and Gaithersburg dated July 23, 1922
- 35) Crown Farm Presentation February 6, 2006 booklet prepared by development team and presented via power point at public hearing

X-182 Crown Property
Index of Memoranda

- 36) E-mail received from Cheryl Kaiser to listed parties February 7, 2006
- 37) Testimony of MaryAnne Polkiewicz, Maryland Transit Administration, given at public hearing on February 6, 2006
- 38) Letter to City Manager Humpton, dated October 27, 2005 from Maryland Transit Administration, referencing the Corridor Cities Transitway
- 39) Traffic Impact analysis by the Traffic Group dated January 22, 2006 (Large Book)
- 40) Traffic Impact Analysis, Excerpt Table of Contents and Exhibits
- 41) Notice of February 27, 2006 Work session
- 42) Mailing list for notification of February 27, 2006 work session
- 43) Cover Sheet for Joint Work session of February 27, 2006
- 44) E-mail dated February 23, 2006 from Bill Burke to City Council enumerating his concerns
- 45) Density Analysis provided by Barbara Sears, dated February 21, 2006
- 46) Letter from Washingtonian Towers to City Council dated February 27, 2006
- 47) E-mail from Roy Fletcher to City Council dated March 2, 2006
- 48) Preliminary Staff Analysis dated March 6, 2006
- 49) E-mail from Bill Burke to City Council dated March 7, 2006 with attachment "Viewpoint: Scratch school plan at Crown Farm site"
- 50) E-mail to Planning and Code Administration from Mary May dated March 9, 2006
- 51) E-mail to Rob Robinson from Rick Kiegel, of Maryland Transit Administration, dated March 15, 2006
- 52) Copy of letter from Mayor Katz to Mr. Berlage, Chairman of Montgomery County Planning Board, dated January 12, 2006
- 53) Copy of letter to Ms. Edwards from Barbara Sears dated January 25, 2006
- 54) Copy of letter to Mr. Berlage from Barbara Sears dated January 30, 2006
- 55) Copy of letter to Mr. Berlage from Barbara Sears dated March 15, 2006

X-182 Crown Property
Index of Memoranda

- 56) MNCPPC Report to Montgomery County Planning Board dated March 10, 2006 for hearing on March 16, 2006
- 57) Letter to Mr. Callum Murray from City Attorney Borton and Consulting Attorney Abrams dated March 22, 2006
- 58) Exhibit received from Montgomery County Department of Park and Planning, Memorandum dated March 10, 2006 from Ms. Sturgeon and Mr. Murray to Montgomery County Planning Board
- 59) Exhibit received from Montgomery County Department of Park and Planning, Memorandum dated March 20, 2006 from Ms. Sturgeon and Mr. Murray to Montgomery County Planning Board
- 60) Letter to Mr. Murray from Mr. Felton, dated March 24, 2006 referencing items for an annexation agreement
- 61) Letter to Ms. Sturgeon from Mr. Ossont, dated March 27, 2006 referencing acreage
- 62) Letter to Ms. Sturgeon from Mr. Ossont, dated March 27, 2006, referencing public facilities and including a revised staff analysis
- 63) E-mail received from David Baer of 111 Fleece Flower Drive dated March 27, 2006
- 64) Letter dated March 29, 2006 to Mr. Berlage from Edgar Taplin and Richard Pavlin, of Action in Montgomery
- 65) Memorandum from Greg Ossont, Director, P&CA, to Planning Commission, dated April 13, 2006
- 66) Revised staff analysis as transmitted to Planning Commission dated April 12, 2006
- 67) Letter to George Leventhal dated April 12, 2006 from Anne Ambler, Sierra Club, Montgomery County Group
- 68) Letter to George Leventhal dated April 11, 2006 from Charles Haughey, President of Board of Education
- 69) Memorandum to Seven Silverman dated April 10, 2006 from Marc Hansen, Deputy County Attorney
- 70) Revised Sketch Plan received April 13, 2006
- 71) Revised Phasing Plan received April 13, 2006

- 72) Copy of Letter to George Leventhal dated April 13, 2006 from Julia O'Malley, Chair Historic Preservation Commission received via fax April 14, 2006
- 73) E-mail to the Gaithersburg Planning Commission dated April 14, 2006 from Wayne Goldstein, President, Montgomery Preservation, Inc.
- 74) E-mail to the County Council dated April 13, 2006 from Cindy Schnackel, National Secretary HADD referencing KB Homes

Planning Commission record closed April 14, 2006 at noon.

The following were received after that record closed.

The City Council's record remains open.

- 75) Letter to Mayor Katz dated April 13, 2006 and received April 14, 2006 from Thomas Schild, Law Group LLP
- 76) E-mail to Chairman Bauer received April 14, 2006, at 3:53 p.m. from Judith Christensen
- 77) E-mail to County Council received April 16, 2006 at 4:51 p.m. from elwhitessell@netzero.net (name of person not included)
- 78) Letter to Gaithersburg City Council and Planning Commission dated April 13, 2006 from Maggie Gifford, of Gaithersburg Affordable Housing Coalition received April 14, 2005
- 79) Letter to Mayor Katz and City Council members dated April 12, 2006 and received April 14, 2006 from Linda Gore and Maggie Gifford of the Gaithersburg Affordable Housing Coalition
- 80) Mailing list for April 19, 2006 Planning Commission agenda
- 81) E-mail to Mayor and City Council received April 17, 2006 from Cyril Draffin
- 82) E-mail to Mayor and City Council received April 18, 2006 from Afthab Zainudeen
- 83) Letter to Mayor and City Council dated April 17, 2006 from Aris Mardirossian
- 84) Letter to Mayor and City Council dated April 13, 2006 from Bonnie Lawhorn, PTA President of Thurgood Marshall
- 85) Letter to Mayor and City Council received April 14, 2006 from Bill Witham, President, Quince Orchard Knolls Citizens Association

X-182 Crown Property
Index of Memoranda

- 86) Copy of letter to George Leventhal dated April 21, 2006, from Assistant City Manager Fred Felton with attachments relating to "Off-site Road Improvements" and Annexation Agreement Terms
- 87) Letter to David B. Humpton, City Manager, dated April 13, 2006 from Ernest Baisden, Manager, Maryland Transit Administration (attachments are Exhibits 88 and 89)
- 88) Memorandum to Ernie Baisden, MTA, dated April 7, 2006 from Matt Sosnowski, of McCormick Taylor, Inc.
- 89) Memorandum to Ernie Baisden, MTA, dated March 20, 2006 from Dudley Whitney of PB Engineering
- 90) Copy of letter to George Leventhal, dated April 20, 2006 from Edgar Taplin and Richard J. Pavlin
- 91) E-mail to Montgomery County Council Members and City of Gaithersburg officials from Wayne Goldstein, Montgomery County Civic Federation (approximate date April 24, 2006)
- 92) E-mail to Planning and Code Administration received April 26, 2006 from Mary Anne Clark
- 93) E-mail to David Humpton, City Manager, received April 26, 2006 from Catherine Lyon
- 94) E-mail to City Hall Gaithersburg received April 27, 2006 from Valerie Saffer
- 95) E-mail to Planning and Code Administration received April 27, 2006 from Steve DeFino
- 96) Letter dated May 11, 2006 from Patricia Goucher, Director, Local Planning Assistance, Maryland Department of Planning to City Council
- 97) E-mail to Mayor Katz dated and received May 11, 2006 from Jeff Hooke
- 98) E-mail to Mr. Leventhal dated May 11, 2006 from Andy Martin
- 99) E-mail to Mayor Katz dated May 14, 2006 from Mingliang Tan
- 100) E-mail to Mayor Katz dated May 14, 2006 from David Baer
- 101) E-mail to Council Members Schlichting, Alster, Edens, and Sesma dated May 15, 2006 from Gary Robinson

X-182 Crown Property
Index of Memoranda

- 102) E-mail responding to Gary Robinson from Stanley Alster dated May 15, 2006
- 103) E-mail to Mayor Katz and Council members dated May 19, 2006 from Dihan Hettiarachchi
- 104) E-mail to Greg Ossont dated May 23, 2006 from Mary Anne Clark, President of Lake Forest Glen HOA
- 105) Minutes of Joint Public Hearing February 6, 2006
- 106) Minutes of Planning Commission Meeting of April 19, 2006
- 107) Letter to Mayor Katz, dated June 5, 2006 from Charles Haughey, President, Board of Education, referencing the high school site
- 108) E-mail to Mayor Katz, dated June 19, 2006 from Mary Edukat
- 109) Resolution No. 15-1428, of the County Council adopted April 25, 2006 approving the City of Gaithersburg's annexation of the Crown Farm, X-182
- 110) Correspondence from Susan Gross, President Board of Directors, and Carol Jordan Secretary, Board of Directors for Washingtonian Tower Condominiums, Inc., to Greg Ossont, Director, Planning and Code Administration, and Fred Felton, Assistant City Manager, dated July 14, 2006 including Petition from Washingtonian Tower residents dated approximately June 26, 2006
- 111) E-mail to Mayor Katz dated July 10, 2006 from David Baer
- 112) Draft Annexation Agreement with Exhibits for Public Review (Exhibits 112 through 127 below)
- 113) Draft Annexation Agreement Exhibit A Crown Village Property Metes and Bounds Description
- 114) Draft Annexation Agreement Exhibit B Annexed Property Metes and Bounds Description
- 115) Draft Annexation Agreement Exhibit C Development Schedule
- 116) Draft Annexation Agreement Exhibit D Revised Sketch Plan (five pages)
(A-E)
 - 116A – Land Use Plan, MXD Concept/Sketch Plan
 - 116B – Boundary Survey, MXD Concept/Sketch Plan
 - 116C – Surrounding Uses and Road Network, MXD Concept/Sketch Plan
 - 116D – Phasing Plan, MXD Concept/Sketch Plan

116E - Natural Resources Inventory/Forest Stand Delineation Plan, MXD
Concept/Sketch Plan

- 117) Draft Annexation Agreement Exhibit E Transit (CCT) Exhibit
- 118) Draft Annexation Agreement Exhibit F Road Code Waiver Exhibit (two pages)
- 119) Draft Annexation Agreement Exhibit F-1 Road Code Waiver Exhibit (six pages)
- 120) Draft Annexation Agreement Exhibit G Off-Site Road Improvements (three pages)
- 121) Draft Annexation Agreement Exhibit H Fields Road Jurisdiction/Dedication Exhibit
- 122) Draft Annexation Agreement Exhibit I Environmental Waiver Exhibit
- 123) Draft Annexation Agreement Exhibit J Neighborhood (City) Park Dedication and Park Afforestation Exhibit
- 124) Draft Annexation Agreement Exhibit K School Site Exhibit dated 6/16/2006
- 125) Draft Annexation Agreement Exhibit L Historic House Lot Exhibit
- 126) Draft Annexation Agreement Exhibit L-1 Off-Site Sidewalk Exhibit
- 127) Draft Annexation Agreement Exhibit M Outlot "A"/R-6 Triangle Exhibit
- 128) E-mail to Mayor Katz, City Council, and Historic District Commission dated July 17, 2006 from Wayne Goldstein, President of Montgomery Preservation, Inc.
- 129) Presentation Notes by Fred Felton for Public Review of Proposed Annexation Agreement given July 17, 2006
- 130) E-mail to Mayor, City Council, and Historic District Commission dated July 19, 2006 from Elizabeth Johnson
- 131) Letter to Greg Ossont, dated July 7, 2006 from Barbara Sears, of Linowes and Blocher re the Shuttle Bus Program
- 132) Site Selection Advisory Committee Recommendation on Central Area High School dated July 18, 2006
- 133) Letter to Mayor Katz dated July 24, 2006 from Robert Flanagan, Maryland Department of Transportation re realignment of the CCT**
- 134) E-mail to Mayor Katz dated July 25, 2006 from Elizabeth Johnson

X-182 Crown Property
Index of Memoranda

- 135) Letter referencing the enclave issue to Mr. Murray and Ms. Sturgeon, Montgomery County Planning Board, dated March 29, 2006 from City Attorney Borten and Special Counsel Attorney Abrams
- 136) Letter to Mr. Leventhal, County Council, dated March 31, 2006 from Derick Berlage, Chairman of Montgomery County Planning Board
- 137) Memorandum/Report to PHED Committee Agenda Item #2, April 3, 2006 from Ralph Wilson, Senior Legislative Advisor, dated March 31, 2006
- 138) Memorandum to County Council, Agenda Item #17 April 18, 2006, dated April 14, 2006 re Resolution to Approve Crown Farm Annexation Petition X-182
- 139) Memorandum to County Council, Agenda Item #7 April 25, 2006 dated April 21, 2006, A Follow-up Memo on Crown Farm Annexation
- 140) Letter to Mr. Leventhal, County Council, dated April 17, 2006 from Barbara Sears referencing Historic Issues
- 141) Letter to Ms. Praisner, County Council, dated April 24, 2006 from Barbara Sears responding to questions raised by Washingtonian Tower Condominium
- 142) Letter to Mr. Leventhal, County Council, dated April 24, 2006 from Barbara Sears responding to April 20, 2006 Action in Montgomery Letter
- 143) Letter to Mr. Leventhal, dated January 12, 2006 from Mayor Katz re proposed annexation
- 144) Letter to Mr. Duncan, dated January 12, 2006 from Mayor Katz re proposed annexation
- 145) Memorandum to City Council dated July 7, 2006, from Greg Ossont, Director Planning and Code Administration re High Rise Parking Requirements
- 146) Reference: City Council Package and Cover Sheet for June 6, 2005 meeting for X-181
- 147) Crown Property Charrette Report dated October 10, 2005 (colored Power-Point Presentation)
- 148) Notice and certified legal ads placed in Gazette issues of June 21 and 28, 2006 advertising Public Meeting on proposed realignment of the Corridor Cities Transitway (CCT) held June 28, 2006
- 149) Notice on City 's web site announcing Public Meeting to be held June 28, 2006 on proposed realignment of the CCT

- 150) Notice of Public Meeting to discuss the realignment of the CCT on June 28, 2006 mailed to affected parties
- 151) Mailing List for Public Meeting of June 28, 2006
- 152) Sign-in Sheet for Public Meeting of June 28, 2006
- 153) Power Point Presentation for Public Meeting of June 28, 2006
- 154) Minutes of Public Meeting of June 28, 2006
- 155) E-mail to Mayor Katz dated June 19, 2006 from Mary Edukat
- 156) Collected "Questions/Suggestions/Comments" from Public Meeting of June 28, 2006 (Voorhees, Woodbridge, Liu)
- 157) Collected "Questions/Suggestions/Comments" from Public Meeting of June 28, 2006 (Lu, Reiley, Kline, Edukat)
- 158) Cover Sheet for Joint Work Session of March 13, 2006
- 159) E-mail to the City of Gaithersburg dated July 26, 2006 from Cathy Drzyzgula re historic structures
- 160) Letter to Mayor Katz dated July 25, 2006 from Susan Gross, President, and Carol Jordan, Secretary, Washingtonian Tower Condominiums
- 161) Letter to Mayor Katz and City Council dated July 26, 2006 from Barbara Sears, of Linowes and Blocher, as a follow up to the June 28, 2006, public meeting on the CCT, a submission of relevant portions of the MTA Draft Environmental Impact Study and Montgomery County's 1990 Approved & Adopted Shady Grove Area Master Plan
- 162) Approved and Adopted Shady Grove Area Master Plan
- 163) E-mail to Mayor Katz dated July 28, 2006 from Clare Kelly with attachments
- 164) E-mail to Mayor and City Council dated July 27, 2006 from Carol Kanga
- 165) Cover letter and set of 14 Concept Diagrams of Off-site Traffic Improvements to Fred Felton dated July 28, 2006 from Barbara Sears, Linowes and Blocher
- 166) E-mail with attachments to Mayor and City Council dated July 29, 2006 from Richard Arkin, re Crown Farm and National Register Eligibility
- 167) E-mail to City dated August 1, 2006 from Valerie Borda

- 168) E-mail to Mayor Katz and City Council dated July 31, 2006 from Warren Johnson re historic buildings
- 169) E-mail to City dated July 30, 2006 from Nugroho Sulistiono re farm buildings
- 170) E-mail to Mayor Katz and City Council dated July 30, 2006 from Nancy Koran re preserving site
- 171) E-mail to City dated July 30, 2006 from Irene Eckstrand re preserving farm
- 172) E-mail to Mayor Katz dated July 30, 2006 from Joe Malfesi re preserving buildings
- 173) **Letter to Fred Felton dated August 1, 2006 from Richard Hawes, Director, Department of Facilities Management MCPS re school site**
- 174) E-mail to Mayor Katz and City Council dated August 1, 2006 from Richard Arkin re historic preservation and Crown Farm buildings
- 175) E-mail to City dated July 31, 2006 from Mary Edukat re preservation of Crown buildings
- 176) Excerpts from Multi-Modal Corridor Study Vol. 1 of 2 re Crown Farm
- 177) Excerpts from Multi-Modal Corridor Study Vol. 2 of 2 re Crown Farm
- 178) Crown Property Charrette Invitation
- 179) Crown Property Charrette Invitee List
- 180) Crown Property Charrette RSVP List
- 181) Crown Property Charrette Sign-In List
- 182) Memorandum to Greg Ossont, Director Planning and Code Administration, dated August 1, 2006 from Barbara Sears re Crown Property: Schools Cluster Information
- 183) Letter to City Manager Humpton dated August 2, 2006 from Ernest Baisden, Manager, Project Development, Office of Planning, Maryland Transit Administration
- 184) **Memorandum to Mayor and City Council dated August 2, 2006 from Historic Preservation Advisory Committee**
- 185) **Letter to Greg Ossont, Director Planning and Code Administration, dated August 2, 2006 from Barbara Sears re England-Crown Farm Historic Report**

- 186) Crown Farm Structural Investigation Report prepared for Mr. Keith Tunell/Centex Homes by Mr. Thomas J. Russello, PE, Russello Engineering Services, Inc. dated November 01, 2005**
- 187) England-Crown Farm Report prepared for KB Home by EHT Tracerics, Inc. dated August 2006
- 188) Letter to Mayor and City Council dated August 1, 2006 from Mary Jo LaFrance**
- 189) E-mail to Mayor Katz, City Council, and City Manager Humpton dated August 2, 2006 from Bill Burke**
- 190) Letter Report Traffic Impact Analysis for Crown Farm Revised February 24, 2006 (Large Book)
- 191) Letter Report Traffic Impact Analysis for Crown Farm Revised April 14, 2006 (Large Book)
- 192) Letter Report Traffic Impact Analysis for Crown Farm Revised July 26, 2006 (Large Book)
- 193) E-mail to Mayor and City Council dated August 2, 2006 from Richard Arkin**
- 194) E-mail to Mayor and City Council dated August 2, 2006 from Wayne Goldstein, President of MPI**
- 195) E-mail to Mayor Katz dated August 2, 2006, from Bob Booher**
- 196) E-mail to Mayor Katz and City Council dated August 2, 2006 from Judith Christensen**
- 197) E-mail to City dated August 1, 2006 from Diana Eldridge**

The Record of the City Council closed at 5 p.m. on Wednesday, August 2, 2006



Maryland Department of Transportation
The Secretary's Office

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor

Robert L. Flanagan
Secretary

James F. Ports, Jr.
Deputy Secretary

July 24, 2006

Mayor Sidney Katz
City of Gaithersburg
31 South Summit Avenue
Gaithersburg, MD 20877

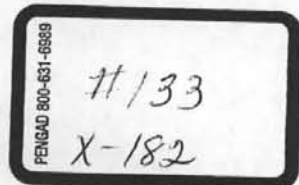
Dear Mayor Katz,

The Maryland Transit Administration (MTA) has reviewed your request to realign the Corridor Cities Transitway (CCT) in the Crown Farm area along Fields Road and Decoverly Drive. While the MTA cannot formally "approve" the realignment, we do agree that the proposal presented by the City has merit and could prove mutually beneficial to the CCT project and the proposed development.

To be eligible for federal funds, MTA is following the Federal Transit Administration project development process when considering alternative alignments. As such, we cannot formally select a final alignment and transit alternative at this time. The first step in the process is to complete the Alternative Analysis phase, followed by a selection of a preferred alternative. This process should be completed in 2007. However, FTA will only concur with the selection of the alternative, but does not give its full approval. The full approval comes when FTA issues its Record of Decision (ROD) after the completion of the Preliminary Engineering phase with the Final Environmental Impact Statement. Since this new alignment has merit and a possible change in the alignment was noted in the Draft Environmental Impact Statement based on the development of this property, MTA will include the new alignment in the evaluation process.

The proposed realignment and associated additional structure will add to the cost of the project. It is our hope that we can continue to work with the City and developer to keep this cost increase to a minimum. MTA recognizes and appreciates the developer's willingness to pay for and construct the necessary 250 parking spaces for transit users at the new station, a hiker/biker trail from the I-270 bridge across the property, provide right-of-way for the CCT construction along Crown Farm property, and all related transitway stormwater management requirements be incorporated into the proposed development. The developer's willingness to provide these facilities at no cost to the project will aid to offset negative aspects related to the realignment. MTA requests that the City include these items as requirements in the annexation agreement with the developer, making these items a legal obligation.

My telephone number is 410-866-1000
Toll Free Number 1-888-713-1414 TTY User Call Via MD Relay
7201 Corporate Center Drive, Hanover, Maryland 21076



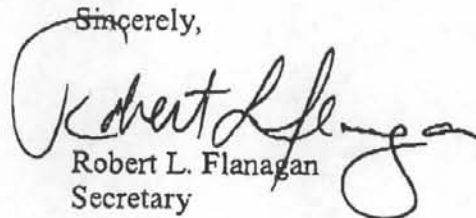
Mayor Sidney Katz
Page 2

The proposed realignment appears to improve the overall development layout and effectively concentrates densities around the new station location. It is expected that ridership will increase as a result. However, the additional transit travel time associated with this slightly longer alignment will likely reduce transit ridership from points north of this location. The City can minimize this negative impact by requiring the developer to eliminate median crossings along Fields Road and Discoverly Drive. It is important that the transit vehicles not be slowed due to automobile traffic. Any median crossings that remain will likely require safety equipment such as gates, bells, and lights that will give transit vehicles priority. These conditions will also apply to the proposed roundabout at the Fields Road/Discoverly Drive intersection. We ask that these conditions be included in the developer's traffic analysis to the City for approval.

Direct and convenient pedestrian access to and from the new transit station is an important factor in promoting higher usage of the transit system. We stress the importance of the developer incorporating sidewalks and trails into the development layout that would provide safe and easy access to the station. We specifically want to note and strongly encourage that improved pedestrian access be provided between the new transit station and residential buildings and commercial establishments located between Fields Road and I-270, as these are attractive destinations.

MTA will continue to work with your staff and hope to reach a final agreement on the project plan that best serves all involved. Thank you for your efforts in supporting and promoting the CCT project. If you have any questions, please contact Mr. Ernie Baisden at 410-767-3752 or Ms. MaryAnne Polkiewicz at 410-767-3426.

Sincerely,



Robert L. Flanagan
Secretary

cc: Mr. Ernie Baisden, Manager, Project Development Division, Maryland Transit Administration
Ms. MaryAnne Polkiewicz, Project Manager, Maryland Transit Administration



DEPARTMENT OF FACILITIES MANAGEMENT
Montgomery County Public Schools

2096 Gaither Road, Suite 200 Rockville, MD 20850 · 240-314-1060 · (FAX) 240-314-1073

August 1, 2006

Mr. Frederick J. Felton, Assistant City Manager
City of Gaithersburg
31 South Summit Avenue
Gaithersburg, Maryland 20877-2098

Dear Mr. Felton:

This is in response to your letter dated July 25, 2006, to Dr. Charles Haughey, president, Montgomery County Public Schools Board of Education, regarding the proposed high school site at the Crown Farm.

The revised site delineation of 32.1 acres shown on the enclosed school site exhibit, dated June 16, 2006, has been reviewed by the Board of Education in conjunction with the site selection for a new central area high school. This is to inform you that the proposed site meets the needs of the school system for the construction of a high school, with the understanding that the developer will size its storm water management facility to handle the quantity requirements for the development of the school site.

We appreciate the efforts of the City of Gaithersburg and developer to ensure an adequate site is available for a future high school.

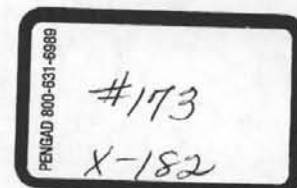
Sincerely,

Richard G. Hawes, Director
Department of Facilities Management

RGH:jlc

Enclosure

Copy to:
Dr. Weast
Mr. Bowers
Ms. Turpin
Mr. Humpton



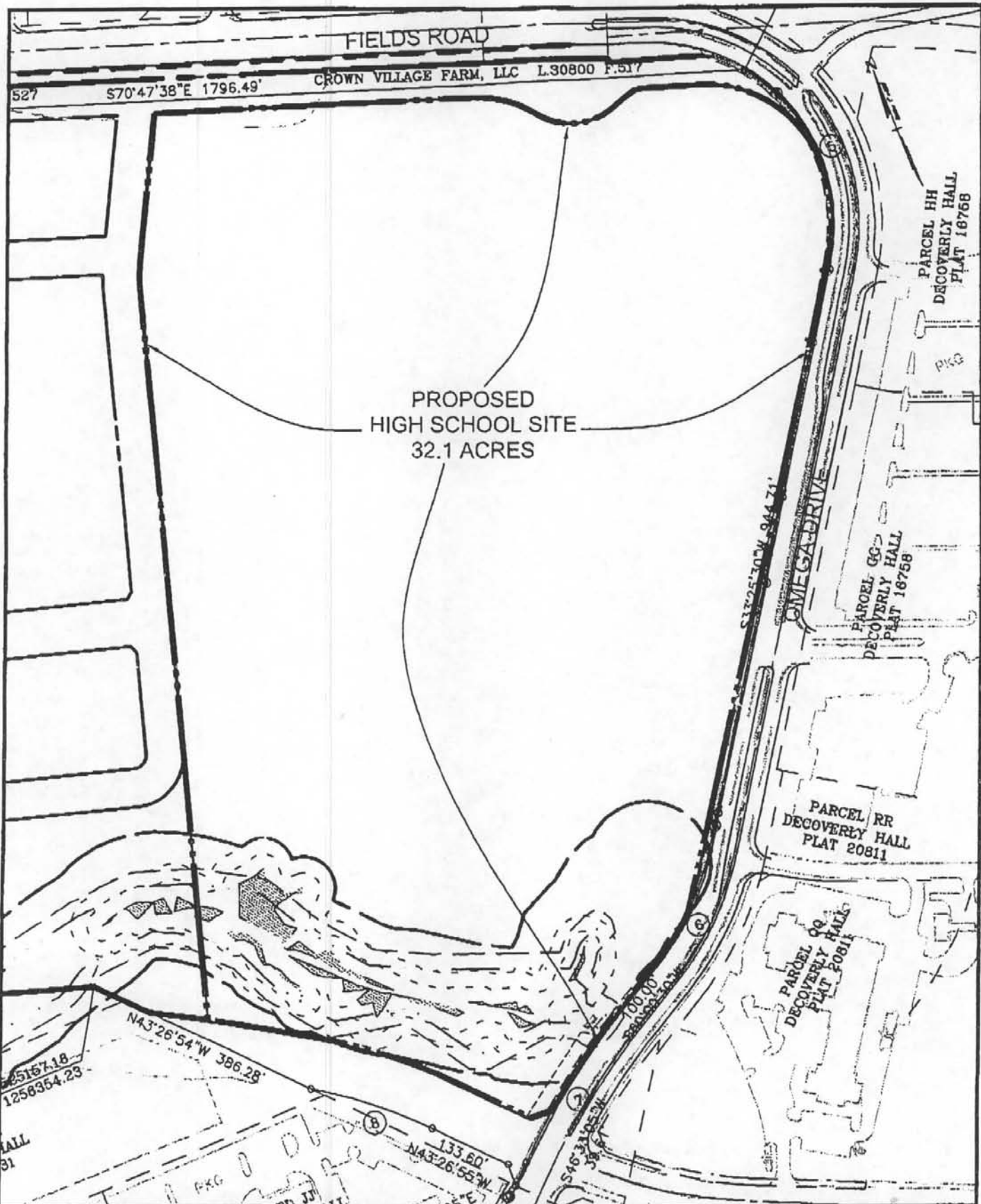


EXHIBIT K

SCHOOL SITE EXHIBIT

6/16/2006

THE CROWN PROPERTY

Vision for a New Community



Robertson Consulting, Inc.
19917 Century Blvd., Suite 200
Crownstown, MD 20836
301.248.4700
101.048.6754 (fax)
301.250.0009
www.robertsonconsulting.com

	BY	DATE	SCALE: 1"=200'
BASE DATA	RCI	5.08.08	JOB No.
DESIGNED			1010A
DRAWN	MJW	5.08.06	DATE:
REVIEWED	GU	5.08.08	5.08.08
RELEASE FOR			SHEET No. 1 OF 1
BY _____ DATE _____			

MEMORANDUM TO: Mayor and City Council

FROM: Historic Preservation Advisory Committee

VIA: Patricia Patula, Planner and Staff Liaison for HPAC

DATE: August 2, 2006

SUBJECT: Crown Farm Annexation X-182

PAP

I. Introduction

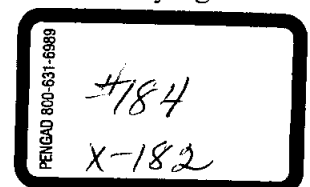
The Historic Preservation Advisory Committee has been following the proposals regarding the historic England/Garrett/Crown Farm properties with considerable interest for many months.

In June 2006, HPAC held a public, open site visit to the cluster of residential and farm buildings near the south border of the property. These buildings and their setting, referred to in this memorandum as the Core Crown Farmstead, include the Victorian farmhouse, the log predecessor farmhouse adjacent to it, and the animal, dairy, and hay barns; pens, sheds, equipment and storage buildings, etc., in the general vicinity of these two residential buildings.

During the June 2006 visit, HPAC and members of the public observed the condition and potential for preservation and adaptive reuse of the residential and farm buildings at the Core Crown Farmstead. A number of members and staff of HPAC also participated in the Crown Farm Charrette in September 2005 and visited the Core Crown Farmstead and other properties on the Crown properties at that time. Staff and HPAC have developed written notes about the Core Crown Farmstead buildings based on the committee's observations in June 2006, which are attached your information and for the record.

The draft annexation agreement was released for public comment after HPAC's July regular meeting. Because the closing date for receipt of comments was scheduled to take place prior to HPAC's August regular meeting on August 3, the committee held a special meeting on August 1 at City Hall. This meeting was a public, open worksession, at which the committee considered and adopted recommendations about the draft annexation agreement. Several members of the public were present at the August 1 meeting and the memorandum was adopted unanimously by HPAC at its conclusion.

It is HPAC's view that the Core Crown Farmstead, and possibly one or more of the other residential and farm buildings located outside the Core Crown Farmstead on the properties covered by the proposed annexation agreement, are valuable historic resources that exemplify the agricultural heritage of Gaithersburg and Montgomery County. HPAC believes, therefore, that the Core Crown Farmstead residential and farm outbuildings at the heart of the 47.5-acre former historic England/Garrett/Crown Farm should be evaluated through the city's statutory historic designation process for historic value, condition, and preservation potential, for adaptive reuse and reconfiguration for public or private purposes. HPAC also believes that the outlying



buildings should be evaluated through the historic designation process for historic value, condition, and potential for possible relocation elsewhere in the property during the development process.

II. Background

The historic worth of the Core Crown Farm Farmstead has been recognized by Montgomery County for more than two decades. In 1982, the Montgomery County Historic Preservation Commission recommended the 47.5-acre Crown Farm site for inclusion on the county's Master Plan of Historic Preservation because of its "significant value to the cultural memory of Montgomery County." The Commission observed that the elegant farmhouse on the site is a culturally significant Victorian dwelling, while pointing out that the predecessor farmhouse structure, the adjacent log house, is "architecturally worthy." The Commission added that the farm house "possesses high artistic value" in part because of its intricate bracket and cornice work.

The England/Garrett/Crown Farm property was operated as a dairy farm until 1990, and most of the buildings and equipment are well-preserved.

In 1996, it was determined that the England/Garrett/Crown Farm property was eligible for listing on the National Register of Historic Places as "an intact and cohesive example of a small-scale dairy farm complex." The finding added: "The owner's move from a small, one-room log dwelling to the substantial and stylish Victorian farm house provides insight into the evolution of farm life from the early to mid-19th century into the late 20th century, the house itself is a well-preserved example of high Victorian vernacular building forms of the period."

III. Recommendations

1. The annexation agreement should be clarified to reflect that the entire Core Crown Farmstead, including the two residential structures and the nearby related farm structures, as well as the individual outlying potentially designation-eligible structures, are to be protected during the historic preservation evaluation and designation process (including appropriate reviews by outside experts, HPAC, and final designation or non-designation action by HDC).

2. The annexation agreement should be clarified to reflect that the properties comprising the Core Crown Farmstead will be studied as a whole as well individually for historic value, condition, and on-site preservation potential during the historic preservation and evaluation process.

3. The annexation agreement should be clarified to reflect that the outlying potentially designation-eligible structures will be studied individually during the historic preservation and evaluation process for possible adaptive reuse and relocation elsewhere on the properties.

4. The annexation agreement should be clarified to reflect that the final property lines separating the Core Crown Farmstead properties from the neighborhood park will

be determined after the historic preservation evaluation and designation process rather than before.

5. The annexation agreement should be clarified to require that:

(a) The designation eligible and potentially designation-eligible properties must be protected prior to the completion of the historic preservation evaluation and designation process,

(b) None of the Core Crown Farmstead or outlying potentially designation-eligible structures may be altered or demolished (either actively or by neglect) during the historic preservation evaluation and designation process, and

(c) The land in the Core Crown Farmstead and the adjacent neighborhood park must not be graded, utilities must not be installed, and these areas must not be used for equipment and materials staging prior to the completion of the historic preservation evaluation and designation process and that any such site work after designation must be done in a manner that protects the designated structures and property.

6. The language in Paragraph 10 (b) should be revised to do the following:

(a) Identify as "Historic Structures and Property" those structures and those properties designated as historic structures and properties at the conclusion of the historic evaluation and designation process;

(b) Modify any determinations regarding covenants and/or disposition of any Historic Structures or Property, or deadlines for permit issuances, until after the completion of the historic evaluation and designation process, at which point the city may, in its discretion, require covenants and/or dispose of any designation-eligible or designated Historic Structure or Property, and set any deadlines for permit issuances;

(c) Alter the next-to-last sentence to reflect that the historic evaluation and designation process for the structures and properties on the annexation site (including their environmental setting) will take place in accordance with Gaithersburg City Code Article XII, Preservation of Historic Resources and the City Code as it may hereafter be amended; and

(d) Delete in its entirety the language stating "Compliance by Crown Village with this paragraph 10 shall satisfy all historic preservation issues with the Property, and no other area, structures or resources on the Property shall be considered historic or regulation under any historic law or regulation."

7. The annexation agreement should be modified to include language such as: "Nothing in this agreement shall be construed as relieving the parties of the requirements of any federal, state, county or city historic preservation laws, regulations, or requirements with respect to these properties."

8. HPAC has taken no position on any agreement by the city and the Developer to cover specific financial obligations for historic preservation or other development costs relating to the annexation and has taken no position on any agreement to limit any such Developer financial obligations relating to historic preservation. Thus, HPAC has no position on requiring the Developer to complete demolition, tank removal, environmental remediation, or grading at its expense after the historic preservation and evaluation process is completed. However, HPAC believes that any financial obligation and any limit to such an obligation should be clearly stated and separated from the issues covered by the historic evaluation and designation process.

IV. Summation

HPAC urges the Mayor and Council to take all appropriate steps to assure that the state, county, and federal historic preservation statutes are honored in word and spirit. HPAC would be delighted to work with the Mayor and Council, the Planning Commission, and city staff and Crown Village to this end.

* * *

HISTORIC PRESERVATION ADVISORY COMMITTEE

Notes of Crown Farm Outbuildings Visit

Saturday, June 24, 2006

9:30 to 11:30 a.m.

Prepared by Patricia Patula, Staff Liaison

DRAFT

Attending: Richard Arkin, Chair; Cathy Drzyzgula, Vice Chair; Joseph Coratola; Ronda Bernstein; Warren Johnson; Patricia Patula, Staff Liaison; Members of the public: Wayne Goldstein, President, Montgomery Preservation, Inc.; Gabriel Stone; and Liz Johnson

The following observations were made as the group walked from building to building and do not constitute a formal statement of the committee. More detailed research and structural analysis are needed.

Building A: MAIN HOUSE; could not get in. Identified small structure at side rear as a well house/water source; a broken window at the turn bolt on the side porch has allowed people to enter the porch area; the house should be boarded or otherwise protected as soon as possible. Committee would like to go inside at a later date. Detailed porch trim; RESTORE

Building B: LOG TENANT HOUSE, possibly the family's first home while the main house was being built, then as a tenant house; Tin roof, was used as a machine shop at one time indicated by the bearings attached to beams and has a line shaft; RESTORATION IS DOABLE, should be taken apart and reconstructed; rear in poor condition, leaning heavily due to nature of construction type

Building C: Rubble (fieldstone) foundation; shiplack siding; has wire nails, similar details to main house; post and beam; possibly made with leftover materials; a USEABLE building

Building D: A newer building, has modern framing & drywall; metal roof, has two "old" doors , POTENTIAL REUSE; maybe a studio

Building E: Made with leftover components; structural elements "go all over the place." "Let this one go?"

Building F: Small, bad condition; plywood; little current or future worth

Building G: A more modern building; plywood

Building H: A fascinating structure. This is a manger used for cows to get grain. SAVE FOR EDUCATIONAL PURPOSES

Building I: Probably a calf barn; has two milking stalls; environmental issues connected with clean up

Building J: A concrete block building; has "barn skylights" GOOD CONDITION' REUSE POSSIBILITIES

Building K: A tiny shed

Building L: Another small shed; environmental issues re clean up

Building M: An older building; has a refrigerator in it

Building N: AN ORIGINAL BUILDING, built at same time as house; GOOD CONDITION REUSE POSSIBILITIES; A "neat" building; has interior stairs; hardwood floors in loft; peg and beam; hay barn on top floor; crib barn on bottom; rubble foundation; beam probably walnut; beams pegged; if reused suggest replacing doors using older wood; all post and beam; morticed & tennon pegged joints

Building O: Maybe a chicken coop; good boards could be reused

Building P: Was a lean to

Building Q: Part is older framing lumber is logs; a lean-to type addition of concrete block; some milking stalls

Building R: A KEEPER!! The overall layout was not random; planned to allow for expeditious care of the milk Hay Barn half: upper door is where hay was brought in and carried to inner parts via horses and hay lift machinery; an old structure; pegged beams; A rubblestone foundation Cow Barn part: bead board around beams and on ceilings; hay loft above; EXCELLENT REUSE possibilities; interior gutters/grates for cow manure collection; Milk House part: is of concrete block in a style from the 1920s/1930s; style was used at Mt. Vernon, but was of wood; much of the milk care equipment is still there intact and appears to be in good shape; has vacuum line which was added later when milking machines were introduced

Building S: Is newer; is a loading chute for cattle SAVE FOR EDUCATIONAL purposes.

Silos: Two of concrete

Summary Comments: Would like to see inside of house and other farms/farm houses on the larger tract. Need to discuss buildings at an upcoming meeting.

LINOWES
AND | BLOCHER LLP
ATTORNEYS AT LAW

August 2, 2006

Barbara A. Sears
301.961.5157
bsears@linowes-law.com

Mr. Greg Ossont, Director
Planning and Code Administration
City of Gaithersburg
31 South Summit Avenue
Gaithersburg, Maryland 20877

Re: Annexation X-182 – Crown Property (the “Property”):
England-Crown Farm Historic Report

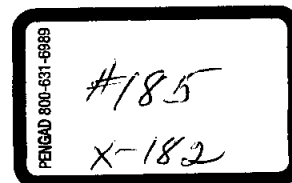
Dear Greg:

As a follow-up to our discussions regarding the preservation of the existing farmhouse at 9800 Fields Road and associated tenant log house, enclosed please find the report of our historic consultant, EHT Traceries, Inc., summarizing the information previously provided.

The Annexation Agreement provides for the preservation, improvement and historic designation of the farmhouse and log house at the expense of Crown Village Farm, LLC. Additionally, all existing outbuildings associated with the farmhouse and log building are located on land to be dedicated to the City of Gaithersburg as the Neighborhood Park. The Annexation Agreement allows the City to determine if any of the existing structures located in the Neighborhood Park will be preserved and/or designated as historic resources after a review and recommendation by the City’s Historic Preservation Advisory Committee. Any costs or expenses of so doing are the responsibility of the City.

Additionally, we have included for your convenience a copy of the preliminary draft structural report regarding the above-referenced structures done for Crown Village Farm, LLC by Russello Engineering Services, Inc.

L&B 667582v1/10318.0004

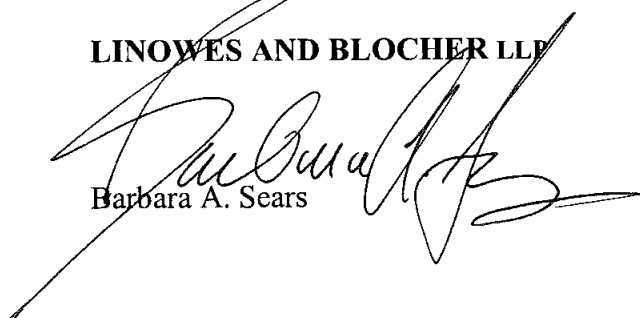


Mr. Greg Ossont
August 2, 2006
Page 2

Please include these items in the public record for X-182. Thank you for your attention to this matter.

Very truly yours,

LINOWES AND BLOCHER LLP


Barbara A. Sears

Enclosures

cc: Mr. Steve Coniglio
Mr. Aris Mardirossian
Mr. Greg May
Mr. Steve Lebling
Mr. Ron Salameh
Mr. Keith Tunell
Joseph P. Lapan, Esq.



Engineering Strong Relationships through Superior Customer Service

November 01, 2005



Crown Farm Structural Investigation

Report Prepared For:

Mr. Keith Tunell

Engineering & Entitlement Manager

Centex Homes

DC Metro Division

15890 Gaither Drive

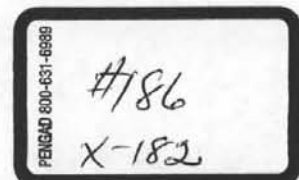
Gaithersburg, MD 20877

Report Prepared By:

Mr. Thomas J. Russello, PE

Russello Engineering Services, Inc.

RES# **R05082**



KEY PERSONNEL



Russello Engineering Services, Inc.
3923 Old Lee Highway, STE 63A
Fairfax, VA 22030

Thomas J. Russello, PE

TABLE OF CONTENTS

- I. SUMMARY AND RECOMMENDATIONS
- II. SITE PLAN AND PHOTOS
- III. REPRESENTATION

I. SUMMARY AND RECOMMENDATIONS

Russello Engineering Services, Inc. (RES) has completed the engineering study of the general structural condition of the building improvements located on the Crown Farm property (see site plan below). The structures generally appear to have been constructed with little regard to any building code structural load requirements. Wood rot, termite damage, and sagging and failed structural members were observed at most buildings. The probability that these buildings could fall over during high wind events should be a big concern. Little to no lateral stability elements were observed that could resist wind loads predicted by any of the modern codes. With the exception of the farm house and the milk house, the buildings are not watertight to any degree. With the exception of the farm house and milk house, it is not recommended to occupy or to allow use of any of the structures.

II. SITE PLAN AND PHOTOS



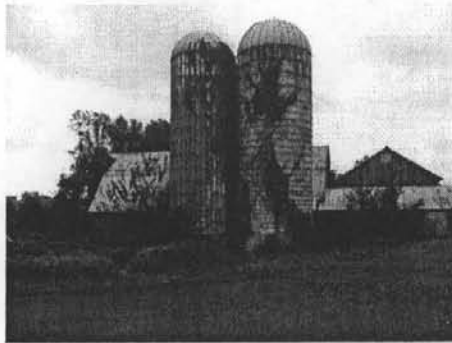
SITE PLAN

- A. Farm House
- B. Silos
- C. Milk House
- D. Milk Barn
- E. Hay Barn
- F. Horse Barn
- G. Machine Shed
- H. Log Cabin
- I. Miscellaneous Structures



FARM HOUSE

The wood framed structure for the Farm House appears to be in fair condition. Wood rot due to lack of maintenance was observed at the front porch, the back porch (second floor), in the crawlspaces, and in the second floor bathroom over the main entry. Termite damage was also observed in the crawlspaces. This damage will need to be repaired before the house is to be occupied. Once repaired, the structure for the Farm House should be acceptable for use as a single-family dwelling. Use as a community center is not structurally recommended.



SILOS

The concrete structure for the Silos is in poor condition. Significant areas of delamination and freeze thaw damage was observed on the inside face of the silos. These tall and very heavy structures should be removed for safety concerns.



MILK HOUSE AND MILK BARN

The structure for the one story milk house (the smaller building to the left) is in fair condition. The walls and floor are made of concrete and the roof is framed with wood.

The structure for the milk barn is in poor condition. The structural framing observed does not meet code in terms of live load requirements. Wood rot and termite damage was observed. Warped and sagging structural members were observed. It is not recommended to occupy this structure.



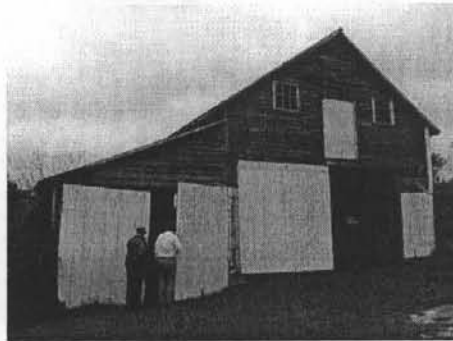
HAY BARN

The structural framing for the wood framed hay barn is in poor condition. The structural framing observed does not meet code in terms of live load requirements. Wood rot and termite damage was observed. Warped and sagging structural members were observed. It is not recommended to occupy this structure.



HORSE BARN

The structural framing for the wood framed horse barn is in poor condition. The structural framing observed does not meet code in terms of live load requirements. Wood rot and termite damage was observed. Warped and sagging structural members were observed. It is not recommended to occupy this structure.



MACHINE SHED

The structural framing for the wood framed machine shed is in poor condition. The structural framing observed does not meet code in terms of live load requirements. Wood rot and termite damage was observed. Warped and sagging structural members were observed. It is not recommended to occupy this structure.



LOG CABIN

The structural framing for the wood framed log cabin is in poor condition. The structural framing observed does not meet code in terms of live load requirements. Wood rot and termite damage was observed. Warped and sagging structural members were observed. The back half of this structure has shifted several feet and it is considered dangerous to enter this structure. It is not recommended to occupy this structure.



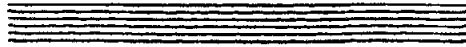
MISCELLANEOUS STRUCTURES

The structural framing for the miscellaneous structures is wood and concrete masonry. The condition of these structures ranges from poor to fair condition. The structural framing observed generally does not meet code in terms of live load requirements. Wood rot and termite damage was observed. Warped and sagging structural members were observed. It is not recommended to occupy most of these structures.

III. REPRESENTATION

This report was prepared by RES for the exclusive use of Centex Homes DC Metro Division and its, assignees, designees, successors, and assigns. It is understood that the aforementioned parties intend to rely upon this report as a structural assessment of the general condition of the structures located at the subject property. This work was performed with sufficient detail and scope to meet the standard engineering practices associated with a general structural condition assessment in the current marketplace. The work does not constitute or imply a guarantee or warranty of the subject property, building, or improvements. RES is not responsible or liable for any claims that are associated with the interpretation of the available information.

EHT TRACERIES INC



ENGLAND-CROWN FARM 9800 FIELDS ROAD, MONTGOMERY COUNTY, MARYLAND

Summary

England-Crown Farm, located at 9800 Fields Road in Montgomery County, is an agricultural/homestead complex sited on 47.5 acres that includes a late-19th-century frame cross-gable dwelling, a mid-nineteenth-century log building, and a collection of outbuildings dating from the late nineteenth century and first half of the twentieth century. The site is included in the Montgomery County *Master Plan for Historic Preservation* as "Site 20/17," and the Maryland Inventory of Historic Properties and has been determined by the Maryland Historical Trust to be eligible for listing in the National Register of Historic Places.

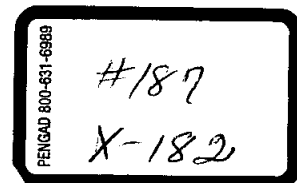
Historic Designations

Montgomery County Master Plan for Historic Preservation

England-Crown Farm, Site 20/17, was included in the *Locational Atlas and Inventory of Historic Sites* in 1976, as part of the Maryland National Capital Parks and Planning Commission's survey effort to identify potential historic resources in the county. The *Locational Atlas* served as a preliminary listing of resources in the county that were thought to be of historical significance but had not yet been evaluated for designation.

Since 1979, the Montgomery County Historic Preservation Commission (HPC) has been systematically undertaking more detailed research on and evaluation of each resource on the *Locational Atlas* and developing recommendations for historic designations which are forwarded to the Montgomery County Planning Board to add properties to the *Master Plan for Historic Preservation*. England-Crown Farm was researched by the county and, despite HPC staff opinion that the resource lacked architectural merit, HPC chose to recommend it for designation. In 1984, the Planning Board included England-Crown Farm in the *Master Plan* under the following criteria:

1. *Historical and cultural significance*
 - A. *The historic resource has character, interest, or value as part of the development, heritage or cultural characteristics of the county, state or region.*
2. *Architectural and design significance*
 - A. *The historic resource embodies the distinctive characteristics of a type, period, or method of construction.*
 - C. *The historic resource possesses high artistic values.*



Because England-Crown Farm is a historic site designated in the *Master Plan*, any proposed changes to the building exteriors – that includes demolition or alteration – or to the environmental setting, requires approval by the Montgomery County Historic Preservation Commission (HPC) and issuance of a Historic Area Work Permit (HAWP). The process of obtaining a HAWP includes submission of an application to the county, consultation and review by HPC staff, and a public hearing before HPC. Supporting documentation required for the application includes written description of the proposed work; site plan; building plans and elevations; materials specifications; photographic documentation; and tree survey.

Based on initial discussions with HPC staff, subdivision of the property would be allowable, but the main house and log structure would have to be preserved with a certain amount of land reserved for their setting.

If the owner were successful in annexing the property to the city of Gaithersburg, the project would no longer fall under the jurisdiction of the Montgomery County HPC but the municipal government.

Maryland Inventory of Historic Places

England-Crown Farm was included in Maryland Inventory of Historic Places in 1974, a broad-based listing of resources of potential historical value to the state. Inclusion in the Inventory does not, in itself, require any reviews or permits.

National Register of Historic Places

In 1996, the Maryland Historical Trust, which serves as the State Historic Preservation Office, found England-Crown Farm to be eligible for listing in the National Register of Historic Places. However, the property is not listed in the National Register.

Historic Rehabilitation Tax Credits

Designated a historic site in the county *Master Plan*, England-Crown Farm is eligible for state historic rehabilitation tax credits. Maryland's program, administered by MHT, includes tax credit for both commercial projects (i.e., income-producing properties, including residential rental properties) and owner-occupied residential projects. The commercial program is currently a competitive process, with projects receiving a rating based on state-identified priorities and criteria. The total amount of credits available is capped, so not all applicants are awarded credits. The owner-occupied program is not complicated by these restrictions. Both programs provide a state income tax credit equal to twenty percent of the project's qualified rehabilitation expenditures. To be eligible, the proposed work must be certified by MHT as complying with the *Secretary of the Interior's Standards for Rehabilitation*.

England-Crown Farm would also be eligible for the federal rehabilitation tax credit if it is nominated to the National Register. However, as stated above, the property is not listed in the National Register. The federal credit is available only for commercial properties, including residential rental properties. Similar to the state program, the federal program provides a federal income tax credit equal to twenty percent of the project's qualified rehabilitation expenditures. To be eligible, the proposed work must be certified by MHT and the National Park Service as complying with the *Secretary of the Interior's Standards for Rehabilitation*.

Depending on how the main house on the site will be used, its rehabilitation may be eligible for tax credits totaling up to forty percent of the qualifying expenditures.

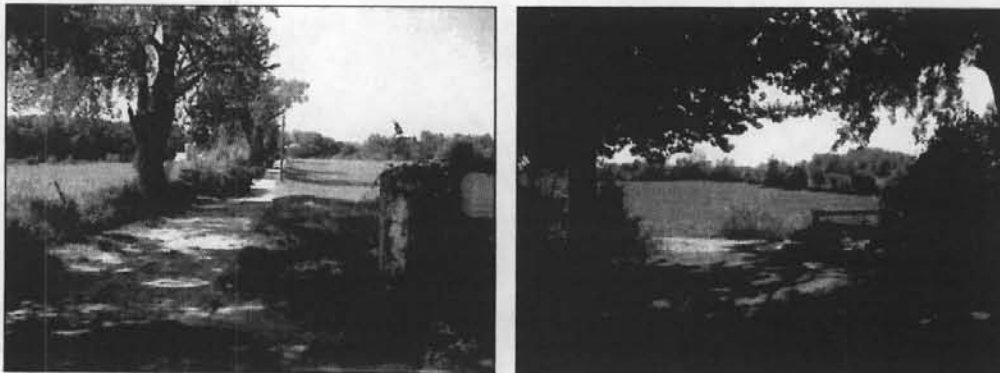
Evaluation of Significance and Integrity

Site

The environmental setting of England-Crown Farm is indicated by the *Master Plan* to be 47.5 acres of land. If the property remains in the County, the actual environmental setting would be subject to final determination at the time of development. Located on the site are the following:

- Main house
- Log building
- Various outbuildings including a hay barn, dairy barn, granary, two silos, equipment sheds, two gasoline pumps, a pig house and other farm associated buildings
- Objects
- Drive/path system
- Landscape

The buildings are concentrated at the end of the main driveway, set far back from Fields Road.



The England-Crown site, looking southeast from Fields Road (left) and east from front yard (right). EHT Tracerics, Inc., 2005.

Site 20/17 was designated in the *Master Plan* under criterion 1A because of its historical and cultural significance within the “cultural memory of Montgomery County.” The nomination focuses on the main house and the log structure with no discussion of the outbuildings or the other features of the site.

The Montgomery County *Master Plan* includes many farms throughout the county. There are more than seven designated in the Central County region alone, where England-Crown Farm is located, including: John H. Gassaway Farm (early 1800s; ca. 1904); Waring-Crawford Farm (mid 1800s; enlarged late 1800s-early 1900s); James H. Cashell Farm (mid 1800s; late 1800s-early 1900s); Rocky Glenn/Dawson Farm (1874; 1913); Belward Farm (1891); and Bussard Farm (house 1908; barn 1898).

Main House

The ca. 1894 main house at England-Crown Farm is a typical county dwelling from the late 19th century. The two-story structure consists of a main block with a two room deep ell extending from the rear. It has masonry foundations and is of wood frame construction. The elevations are covered with rough stucco, which is likely non-original, and the roofs with pressed tin shingle and standing seam metal. It displays a range of Victorian-era details, such as Greek-Revival gable ends and cornice returns and Gothic-Revival cross gable and porch decoration. The majority of windows are two-over-two wood units with simple, flat trim.



Main House at England-Crown Farm, north elevation (left) and east elevation (right). EHT Tracerics, Inc., 2005.

The center cross-gable main block is five bays wide and one room deep with a center hall plan. The full-width porch on the primary elevation has a half-hipped roof covered with standing seam metal supported by square posts with stick-work decoration and cutwork brackets. The central entrance is a double-leaf door with transom. The first-story façade windows extend to the porch floor, and the central gable has a pointed arch window. The two room deep ell has a two-story side porch which has been enclosed on the first story.

On the interior, the house has plaster walls and ceilings, wood floors, wood molding with bulls-eye detail around the doors and windows, and paneled interior and exterior doors. The center hall stair has a decorative turned baluster and newel post with turned knob. There are several fireplaces throughout the building with mantles in a variety of styles.

Site 20/17 was designed in the *Master Plan* under criteria 2A and 2C, citing the main house's architectural significance and artistic value as a Victorian-style dwelling with intricate bracket-work and cornice.

No structural evaluation of the main house was made as part of this analysis; however it appears to be in fair but seemingly reparable condition. There is extensive rot evident to the visible elements of the porch, including the decoration, floor boards, ceiling, and posts; deterioration of the underlying structure is likely. Other exterior wood elements, such as windows, trim and cornice, also show signs of deterioration due to lack of proper maintenance. The gutter system throughout the building is visibly failing and allowing water into the structure. Evidence of water infiltration is seen throughout the interior of the house, with areas of damage to the plaster walls and ceilings. Further damage appears to have been caused by problems with the plumbing

system. Various large cracks have formed on the walls, particularly around the fireplaces, which may indicate past settling or more serious structural problems. A thorough structural assessment is recommended. Despite these issues, the house retains a high level of integrity, remaining intact with little alteration to the exterior or interior over time. It maintains its ability to convey its association with the "cultural memory" of the county.

The main house at England-Crown Farm is representative of a dwelling form that was typical throughout Montgomery County during the late nineteenth century. This type of house, often described as side gable with center wall dormer or as center cross gable, is commonly two stories in height, symmetrically five bays wide, and one room deep with a center hall plan. Often, an ell is seen added to the main block. Front porches can be either full or partial width. It is usually of frame construction but is also seen of log or masonry construction. Victorian-era details can include decorative elements inspired by Greek Revival, Gothic Revival, Italianate, and Stick styles. Because this form persisted for many decades throughout the county, there are many examples included in the *Master Plan*. Images of several of these are attached.

Log Building

The 1.5-story log building on the property predates the main house. It is believed to have been constructed in the mid 19th century as a tenant house during the Hunter family's ownership of the property. It may have originally been sited closer to the main house and later moved to its current location.



England-Crown Farm log structure, north elevation (left) and west elevation (right). EHT Tracerics, Inc., 2005.

The log building was identified as an architecturally significant feature of the historic site in both the *Master Plan* (criterion 2A) and the Maryland Inventory.

The log building is in poor condition. The vegetation surrounding the building is overgrown, overtaking the building and obscuring its setting. The north elevation is unsound, and its imminent collapse threatens the structure. The deteriorated corrugated metal roof and the wood siding, which is patched and missing in places, do not adequately protect it from water infiltration. On the interior, the floor is failing.

Log construction was common for houses in the county in the mid to late 1700s but became less so by the mid 1800s. If the date of the England-Crown Farm log building is accurate, it is a later example of this building type and thus somewhat unusual. There are, however, other examples of log buildings throughout the county in the *Master Plan*. The condition of this building and its

non-original location must be taken into account when evaluating its significance against other resources in the *Master Plan*.

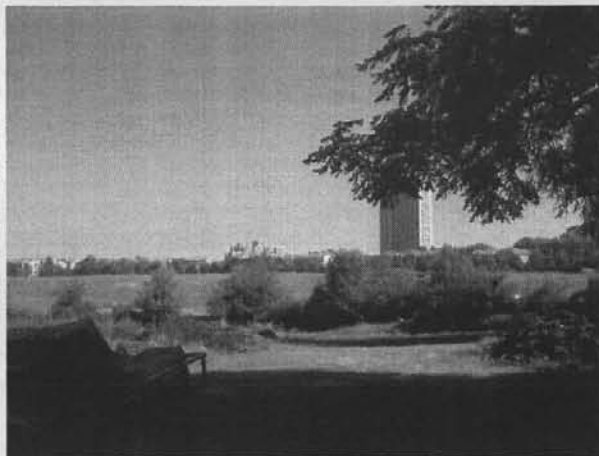
Outbuildings

Site 20/17 was designated in the *Master Plan* under criterion 1A because of its historical and cultural significance within the "cultural memory of Montgomery County." The nomination focuses on the main house and the log structure with no discussion of the outbuildings or the other features of the site. The owner's move from a small, one-room log dwelling to the substantial and stylish Victorian farm house provides insight into the evolution of farm life from the early to mid nineteenth century into the late twentieth century, while the house itself is a well-preserved example of high Victorian vernacular building forms of the period.

Conclusion

The main house and associated log building should be preserved if possible as architecturally and culturally significant resources as examples of a typical late-nineteenth-century center-cross-gable dwelling and an earlier log structure. These two buildings contribute to the understanding of the County's agricultural history and residential architecture. Any subdivision and development proposed for the property should attempt to preserve and incorporate the main house and the log building. In addition, a certain amount of land should be retained around the main house and log building to provide a setting and context for the historic buildings.

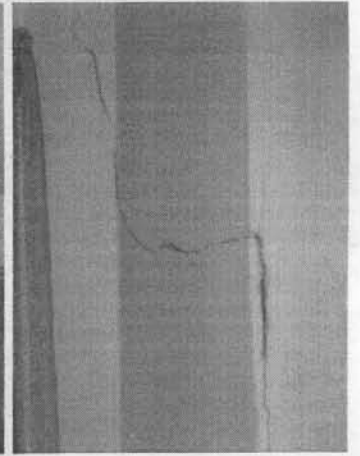
England-Crown Farm – Site
Photographs by EHT Tracerics, Inc., September 2005



England-Crown Farm – Main House, Exterior
Photographs by EHT Traceries, Inc., September 2005



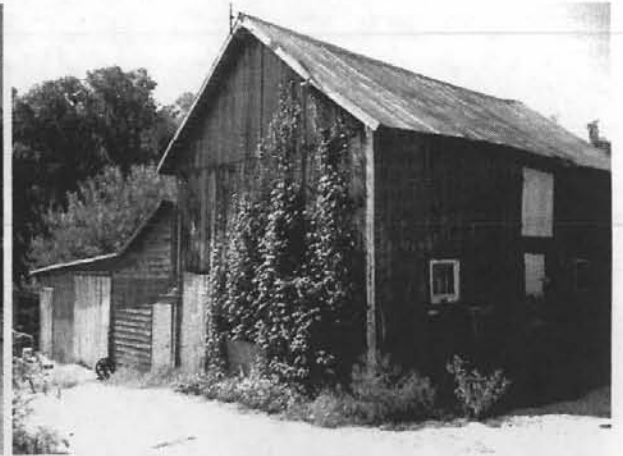
England-Crown Farm – Main House, Interior
Photographs by EHT Tracerics, Inc., September 2005



England-Crown Farm - Log House
Photographs by EHT Tracerics, Inc., September 2005



England-Crown Farm - Outbuildings
Photographs by EHT Traceries, Inc., September 2005



47
80
08-01-06

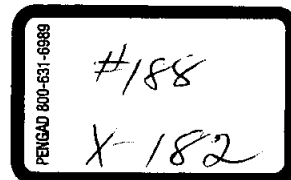
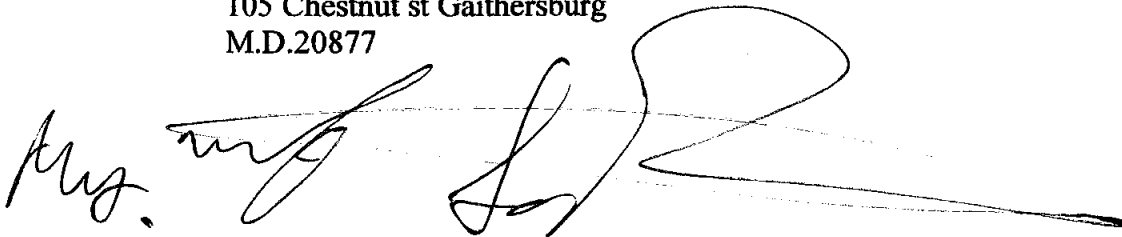
AUG - 1 2006

Dear Mayor and council,

I have followed very closely the process involving the annexation of the property call Crown Farm. I implore you to hire an historian to assess all of the historic buildings on the property. Once a final report is complete then it will be time to move forward by working with the developer to restore to save and to reuse the many historic buildings on the farm. I realize the developer has been very generous in other areas of the negotiations. That being said generosity does not dismiss the value of our history. History must come first. Saving these buildings supporting our history for generations to come must be our goal. The idea that some of the buildings could be used to support the arts is wonderful reuse. You have a duty as a governing body to actively support history. We the community do as well, for our children and the generations to come. Please do not get so caught up in the process of negotiation that you are deaf to the citizens that support you. Thank you.

Sincerely,

Mrs. Mary Jo La France
105 Chestnut st Gaithersburg
M.D.20877



From: David B. Humpton
To: bburke33s@comcast.net
Date: 08/02/2006 5:05:15 PM
Subject: Re: Crown Farm

Dear Mr. Burke,

Thank you for your email. It will be placed in the next reading package for the Mayor and City Council and also placed in the public record.

Thank you for your interest in this important project.

Sincerely,

David B. Humpton
City Manager
City of Gaithersburg

>>> <bburke33s@comcast.net> 08/02/2006 4:52 PM >>>
Mayor Sidney Katz
Members of Council
City Manager David Humpton

Dear Mayor Katz, members of Council and Mr. Humpton,

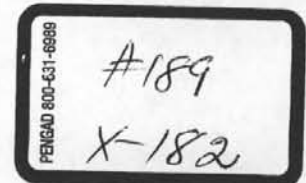
I wanted to make a few final comments concerning the Crown Farm annexation as the record closes today.

As you know, as this planning process began, I was concerned that it may have been moving too fast, impelled by the developer's timetable and the apparent link between his financing and annexation.

Now, months later, with the proposal having gone through both a County and City process, I am comfortable there has been sufficient time for any interested parties to make comment. Given the impact I think this development will have, I would have liked to see a somewhat greater public involvement, but at least the opportunity has been there.

This agreement provides substantial benefits to the city and region (given transit-related improvements to CCT and roads) and I think city staff has exerted its control over how this development will be planned and implemented.

While there are always one or two things we'd like to change in such a complex agreement, overall I think this annexation has substantial benefit for the city and should be approved.



Still, I would like to note the following concerns:

1. Although staff makes the reasonable case that the majority of the density in this project will largely be constructed above the commercial and retail and in PODs 1 and 5, I'm still not sure we have addressed the "livability" issues raised by Mayor Katz and Council Member Edens (among others) at early Crown Farm work sessions.

I hope that as we get into more detailed planning about setbacks and the like that we do everything we can to give this design more "breathing room." As I read the annexation agreement, unit counts in various pods can be flexible, and we should keep that in mind moving forward.

2. I'm somewhat uncomfortable about the agreement in places where it talks about accelerating the city review process, possible waivers of standards and the like. While staff has assured me that many of these waivers are routine, and while the agreement does specifically say Crown Farm will continue to be subject to all procedural rules, I think this is an area on which we will want continued strong oversight.

3. Although the annexation agreement doesn't get much into specific details of community amenities, we need to make sure these amenities are sized appropriately for the density this annexation agreement will include. It seems to me that in many communities (Quince Orchard Park included) the initial amenities are closer to minimum requirements for the population and they later require expansion, with the community bearing the cost.

4. Although nothing can be done about it now, it seems a bit contradictory to me that we are considering new rules on affordable housing and adequate public facilities and yet they will not be applied to such a major development. I do understand that Crown Farm contains both an MPDU and workforce housing component, but I think it is probably smaller than what it might be. Given the fact that there are so few (if any) major parcels left for development, I'm not sure what the ultimate effect of these new rules will be.

5. I'm disappointed about what we've been able to achieve with open space on this parcel. I realize that using 33 acres for the school ties our hands in this regard, but I just don't think 5 acres is enough, and believe that with the hiker-biker trail alongside the CCT, we could have done much better there. Increasing open space has been a part of the Gaithersburg strategic plan for at least a couple years now and I think we need to look for ways to start making that a reality.

Finally, I appreciate all the work you and the staff have done on this project, and appreciate your continued openness to public comment.

Best Regards

Bill Burke
216 Winter Walk Drive

CC: Doris Stokes; Fred Felton; Greg Ossont; Sidney Katz

From: David B. Humpton
To: RichardArkin@aol.com
Date: 08/02/2006 2:58:16 PM
Subject: Re: Additional Comments on draft Crown Farm annexation (Annex'n Agreem't X-182)

Richard,

Thank you for your email. A copy of it will be sent to the Mayor and City Council in their next reading package and placed in the public record.

Again, thank you for your interest in this project.

Sincerely,

David B. Humpton
City Manager
City of Gaithersburg

>>> <RichardArkin@aol.com> 08/02/2006 3:55 AM >>>
Your Honor and Members of the City Council:

Please consider these additional personal comments as a supplement to the comments on the draft Crown Farm annexation that I forwarded to you as an individual citizen on August 1.

I strongly believe that the farm complex should be the centerpiece of the New Urbanist/transit-oriented community being proposed for the Crown Farm site, rather than an afterthought. In my opinion, future residents of this old-and-new Gaithersburg neighborhood should know and understand where their community fits in the context of Gaithersburg and Upper Montgomery County.

I have already noted that the Crown Farm Charrette discussions in September 2005 recommended preserving many of the farmstead buildings and adaptively reusing them for community purposes. I believe the City should look to adaptive reuse for community purposes, city purposes, or use by non-profits as an appropriate mechanism for assuring preservation of these buildings and their immediate setting.

The hay barns, animal and equipment sheds, dairy barns and processing buildings and equipment are very much intact, making them particularly well-suited for interpretive history and for a variety of adaptive reuses. These include those discussed at the charrette, such as meetings, dances, public gatherings, educational purposes, artist and craft studios, galleries, and classes. In addition, use by non-profits and other quasi-public and public-private partnership uses should be explored.

I would respectfully suggest that the draft annexation agreement be amended so the final agreement contains provisions that the historic designation-eligible properties be turned over to the city at the conclusion of the designation process and any rehabilitation agreed upon by the city and the developer. This will permit the city to make any determination as to keeping the buildings for public use or selling, giving, or otherwise disposing of them to third parties.

As I have already stated, I urge the Mayor and Council to take all appropriate steps to assure that the state, county, and federal historic

193

preservation statutes are honored in word and spirit and that the Charrette plan for adaptive public or community reuse of these structures is similarly respected.

Thank you.

Sincerely yours,

Richard L. Arkin
121 Selby Street
Gaithersburg, MD

20878

301-258-7874
richardarkin@aol.com

CC: Doris Stokes; Fred Felton; Greg Ossont; Sidney Katz

From: David B. Humpton
To: Wayne Goldstein
Date: 08/03/2006 8:25:24 AM
Subject: Re: MPI and MCCF Comments on Draft Crown Farm Annexation Agreement

Mr. Goldstein: Thank you for your email. A copy of it will be sent to the Mayor and City Council in their next reading package and placed in the public record.

Again, thank you for your interest in this project.

Sincerely,

David B. Humpton
City Manager
City of Gaithersburg

194

>>> "Wayne Goldstein" <waynemgoldstein@hotmail.com> 08/02/2006 4:14 PM >>>
August 2, 2006

Your Honor and Members of the City Council:

Since March 2006, the City of Gaithersburg has received a great deal of information and comments from Montgomery Preservation, Inc. (MPI) and the Montgomery County Civic Federation (MCCF) and from me about the Crown Farm annexation agreement. What started out as an agreement that would have significantly shortchanged several public policies has been greatly improved thanks to the advocacy of a number of county and community groups and individuals. However, one public policy, historic preservation, has yet to receive the same consideration. This appears to be due to seeming developer and city staff indifference to most of the Crown Farm's buildings and to the farm's environmental setting and to vague details in the proposed annexation agreement that would lead any reasonable person to assume the worst about the future of the buildings.

This annexation has unnecessarily become about process as well as about issues. While City staff have been quite responsive to your information requests about the annexation agreement, they have not shown the same consideration to requests from organizations and members of the general public. I am used to regularly working with staff at MNCPPC, county agencies, and the City of Rockville, all whom are very responsive to both direct and indirect comments, requests for information, and criticism. That has not been the case with Gaithersburg staff, with a few notable exceptions. This seeming reluctance to deal with the public on controversial matters like this is highlighted by the fact that the link to the Crown Farm Annexation that was once on the City's main page, was removed from that location some time ago before many important new exhibits were added to the record on July 13th and also on July 25th.

Someone who were to go to the main page would not be able to readily find the page and its new information, and would have to do a search, which would simply list the link, and one would not know of the many new exhibits until the link was clicked on. Even then, all of the July 25th exhibits are unlabeled. It is a great help that the July 13th exhibits are labeled, but gratitude for this has to be replaced with great concern as to why all exhibits on that page do not have such descriptive labels. All exhibits

should have been labeled and a prominent link including news of the new exhibits should be on the main page and kept there until the matter is finally decided by the Mayor and City Council.

I believe it is this City staff reluctance to communicate fully and effectively with the public by all reasonable means on this matter that has resulted in there being no knowledge by the public or most officials of the fact that the England-Crown Farm ("Farm") was found eligible for listing on the National Register of Historic Places (NRHP) in 1996 and that the Federal Highway Administration (FHWA), in early 2002, found that the Corridor Cities Transitway (CCT) may have an adverse effect on the Farm. Specifically, information I only learned existed and received just last night from City staff states that the CCT alignment "would be constructed through portions of the England/Crown Farm... This transitway alignment impacts approximately 3.6 acres. The distance between the tracks and the nearest point to an historic structure is approximately 380 feet... The right of way required from the England/Crown Farm site is approximately 1,400 feet in length. There would be an adverse impact from these alternates"

In light of this information, it is extraordinary that the Maryland Transit Administration (MTA) would have so casually considered changing the CCT alignment for the convenience of the developer such that the adverse impacts would have become greater, as the new proposed CCT alignment is much closer to the historic structures and may also take more acreage and more right of way of the Farm. Depending on what is found to be an appropriately sized environmental setting for the Farm, MPI's main concern is that the CCT will be closer to the buildings. I do not know that the Maryland Historical Trust (MHT) has been negotiating with FHWA or MTA about the proposed 2002 Memorandum of Agreement (MOA) that was sent to MHT along with the finding of adverse impacts. However, I believe it is highly unlikely that FHWA, MTA, and MHT have negotiated and signed a new MOA that approves this greater adverse impact, for this is contrary to the specific legal requirements of the Section 4(f) process.

I am attaching several columns from MCCF's "Federation Corner" column in the Montgomery County Sentinel. The last is to appear in this Thursday's addition. This version is a revised one that I had to write last night in light of the surprise information provided to me last night by City staff about the FHWA findings concerning the CCT. It may not appear in the column because of publication deadlines, and the original version that may instead be published was written based on what facts were known at that time by me and those who would provide me with additional information. Any factual inaccuracies and conclusions derived from those inaccuracies are due in large part to the lack of a free flow of information from City staff.

I would like to compliment Gaithersburg's Historic Preservation Advisory Committee (HPAC) for its thoughtful deliberation and recommendations related to language in the proposed annexation agreement concerning the England-Crown Farm buildings. MPI urges you to accept and incorporate HPAC's recommendations into the approved final agreement. However, I do not believe that the Mayor and Council should sign this agreement until such time that MHT has evaluated the latest alignment of the CCT and signed an MOA with FHWA and MTA. This is really for the benefit of the City and the developer, because if MHT insists that the alignment be changed, which it can do under Section 4(f), then there would be a tremendous burden created for the developer and the City if actions such as

platting properties and construction had already occurred.

Furthermore, the farm at 10000 Fields Rd., known as the Heater-Crown Farm, was found twice by MHT to be NRHP-ineligible but once to be NRHP-eligible: "However, because of the increasing conversion of farmland into non-agricultural uses in Montgomery County, SHA reevaluated the property as part of this [ICC] project and determined it, along with an adjacent farm also in the Crown Family hands [England-Crown Farm], eligible." The most recent determination of ineligibility occurred in 1996, and the issue of farmland conversion has only increased in the decade since.

It may well be that a 4th look at NRHP-eligibility would find that the growing scarcity of such farm buildings would again make it eligible.

This well-maintained property would be a valuable site for a community park and community buildings for the cultural and recreational benefit of the future residents of this development. Given the great changes coming to the property and to its environmental setting, the farm buildings could instead provide substantial cultural and community value if the contributing structures of this farm were moved to the vicinity of the England-Crown farmhouse and log tenant house. This issue should be settled by HPAC and the HDC before any annexation agreement is signed. There is no reason why the work and the decisions on both the MOA for the new CCT alignment and on the Heater-Crown Farm cannot be done concurrently so as to minimize the delay to signing the annexation agreement and moving forward with the new development.

Should the Mayor and City Council decide to delay this decision, I hope that web site access to the annexation materials will be greatly improved. Because there have been so many changes to the annexation agreement, a public hearing would appear to be necessary to hear from the public, instead of relying upon those knowledgeable people who will avail themselves of an opportunity to speak about the issue during the Public Appearances part of the August 7 meeting.

MPI and MCCF both look forward to a continued cooperative working relationship with HPAC and its staff and to a more open and responsive working relationship with the rest of your City staff.

Yours truly,

/s/

Wayne Goldstein
President, Montgomery Preservation, Inc.
President, Montgomery County Civic Federation
3009 Jennings Road
Kensington, MD 20895
301-942-8079
waynemgoldstein@hotmail.com

CC: Felton, Fred; Ossont, Greg; Sidney Katz; Stokes, Doris

Crown Farm Annexation Still Marked by Failure by Wayne Goldstein

This is the third column about the Crown Farm annexation because all of the problems created by the desire for shortcuts in this process have not been solved. An annexation that does not respect all affected public policies deserves to be called a failure. For that reason, the Crown Farm annexation remains a failure.

Last September, 250 neighbors of the proposed Crown Farm development attended a three-day charrette sponsored by the new owners. They heard a lot of promises made in response to their many concerns. One of those implicit promises is about to be broken. Hours were spent at the charrette talking about the historic Crown Farm, the farm house and fifteen outbuildings that make up this working farm that dates back to the 1880s. A tour of the historic buildings was even included as part of the charrette. A Post reporter wrote that people said: "Use the existing home and barns, which date back several centuries, for community meetings or dances or arts and crafts."

The web site for the charrette called the Crown Farm project a "A Community Designed by its Neighbors - A charrette is a series of intense planning meetings designed to encourage and facilitate full public participation in the creation of a vision for the development of the Crown Property. One of the key characteristics that distinguishes a charrette from a typical planning meeting is that it offers maximum public participation and a unique opportunity for participants to provide early input and immediate feedback to the design team. Daily work sessions and open houses provide interested residents an opportunity to share their ideas, build consensus, review the work in progress and engage the design team in detailed discussions. The end result is a plan that shares the ultimate vision of the charrette participants."

After all of this happened last September and the neighbors then went home, excited about how the historic buildings could serve them as well as the future residents of the new development. As these neighbors that helped design the proposed community, they were entitled to learn of the progress being made to fulfill their vision. Instead, it became obvious this past March that the developer was only interested in saving and restoring the two residential buildings for an unknown reuse and would give the rest of the buildings to Gaithersburg on land being donated to the city for a park. This property is a designated historic resource in Montgomery County and county planners responded to this plan with strong criticism of city staff:

"Historic Preservation staff has repeatedly encouraged the City of Gaithersburg planning staff and the developer to respect the historic Crown Farm in any development proposal. At a presentation to the developer and City staff, Park and Planning staff presented the history of the property and the value of the farmstead at a planning meeting with Gaithersburg staff in February [2006]. Yet the proposal presented to the Planning Board shows little understanding of the value of the historic site."

The Montgomery County Planning Board supported its staff but the Montgomery County Council included none of the requirements for the historic buildings that it included for affordable housing, a school site, and a payment for the transfer of agricultural development rights when it voted to approve annexation to the city in April. Now, the plans that were bad in March are far worse in July. The developer, instead of restoring the two historic houses for community use, has chosen to sell the restored buildings as one private residence. Instead of leaving the rest of the buildings in the park for Gaithersburg to decide what to do with them, the developer now wants to bury utilities in this park, regrade it and plant trees while tearing down all of the buildings that the community believed would be restored and used for "community meetings or dances or arts and crafts."

The Crown Farm developer, KB Homes, was fined over \$5 million dollars last summer by the Department of Housing and Urban Development (HUD) and by the Federal Trade Commission (FTC). It has had a consent decree with the FTC since 1979, which it has repeatedly violated. As in the past, KB Homes promises to do better in following the consent decree in the future. However, if seeming promises made less than a year ago about preserving and reusing historic buildings as asked for by the community are going to be broken, and Gaithersburg staff still doesn't care about this, than what should Crown Farm neighbors assume about other promises that have been made about this project?

The deadline to submit comments about the Crown Farm annexation agreement is 5 pm on Wednesday, August 2. The Mayor and Council are scheduled to vote on the agreement on Monday night, August 7. If you live near the Crown Farm and you believed you would be able to use the historic buildings either as community use space or for artists, you need to contact the Mayor and Council before August 2 and tell them that you do not want the implied promise made at last year's charrette to be broken.

If the developer's plans for the park are approved, there is no way that the historic buildings can be saved without violating the annexation agreement. It may also be that city law will be violated if this annexation agreement is signed as is and there is no chance to evaluate and protect the historic buildings before the planned demolition takes place.

Gaithersburg residents keep hearing promises about every new development that it won't have a negative impact and instead they see traffic and other problems get worse. Just as the Kentlands provided historic resources that have become important community facilities, the Crown Farm buildings can still give a unique gift to the community. However, Gaithersburg residents have to demand it now before the agreement is signed that guarantees the demolition of the barns and other useable buildings. It is that intervention that will prevent this annexation from being considered a failure.

Crown Farm Is Now A Bigger Planning Failure by Wayne Goldstein

I'm writing about the Crown Farm for the second time in two weeks because, a few days ago, I learned that one of the farms that make up the Crown Farm property was found to be eligible for the National Register of Historic Places (NRHP) in 1996. This fact alone could cause delays and other problems for this development. The failure of those involved in this project to either know about or act appropriately about this readily-available fact amounts to a bigger planning failure. Many people, and apparently, too many public officials, do not understand how important historic preservation is to their communities, particularly when it comes to projects that receive state or federal funding.

The National Historic Preservation Act was passed in 1966 because Congress found that "... in the face of ever-increasing extensions of urban centers, highways, and residential, commercial, and industrial developments, the present governmental and nongovernmental historic preservation programs and activities are inadequate to insure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our Nation."

Congress also found that it was "... necessary and appropriate for the Federal Government to accelerate its historic preservation programs and activities, to give maximum encouragement to agencies and individuals undertaking preservation by private means, and to assist State and local governments and the National Trust for Historic Preservation in the United States to expand and accelerate their historic preservation programs and activities."

To do this, Congress required that "The Secretary of the Interior is authorized to expand and maintain a National Register of Historic Places [NRHP] composed of districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, engineering, and culture." There are specific criteria that must be met for anything to be placed on the NRHP. In 1966, Congress also passed the Department of Transportation Act. Section 4(f) of this Act "requires federal agencies to identify and avoid impacts to parklands, recreation areas, historic sites, and wildlife and waterfowl refuges. Specifically, Section 4(f) precludes "use" of these resources, either directly through a physical taking or indirectly through "constructive use" unless there are no prudent and feasible alternatives, and the project incorporates all possible planning to minimize harm... Section 4(f) by its own terms protects historic sites of local, state or national significance. In order to invoke the protections of 4(f), an historic site must meet the criteria of eligibility for inclusion in the National Register of Historic Places."

In 1996, the Maryland Historical Trust (MHT), in consultation with the Maryland State Highway Administration (SHA), found that the England-Crown Farm, part of the larger Crown Farm property, met two of the criteria and was eligible for listing on the NRHP. This was in addition to the Montgomery County Council finding in 1984 that this historic farm met the criteria to be placed on the county's Master Plan for Historic Preservation. What the NRHP eligibility meant was that if any transportation project were to be built near the England-Crown Farm using federal funds, then the involved federal and state agencies were legally required to work with MHT to determine if there would be any Section 4(f) direct or constructive use of the farm. In addition, Maryland requires any state agency or any project using state funds to also consult with MHT in a less restrictive way known as a Section 106 review.

There are two planned projects for the Crown Farm property that will use state or federal money and where federal and state law requires that these projects be evaluated for the impact on the England-Crown Farm. The first is the plan to reserve 32 acres of the property for a new high school. The Board of Education (BOE) is a state agency under certain circumstances. It has been at pains to insist on that twice in the last 4 years. In 2002, the Attorney General wrote: "...Finally, should the property be listed in or eligible for the Maryland Register of Historic Properties, any capital project potentially affecting the property may be subject to the review and consultative process set out in Annotated Code of Maryland, Article 83B, §5-617. Under that law, the State unit responsible for the project would consult with the Maryland Historical Trust to determine whether the project would adversely affect the historic property and, if so, the State unit would be required to negotiate with the Trust on a plan to avoid, mitigate, or satisfactorily reduce the adverse effect... The Board has apparently acknowledged that it may be subject to the Maryland Historical Trust consultative process."

Specific plans are being made in the proposed annexation agreement on behalf of the BOE as to how and when the 32 acres will be used to build a new school. Therefore, BOE should start to act like the state agency it claims that it is and consult with MHT as soon as possible to determine if there will be potential impacts to the farm and what to do about them. This process could be completed as quickly as 30-60 days. BOE should have completed this process months ago, particularly since it already owns historically designated properties and should have made a routine inquiry about the locally-designated farm just a short distance away.

The second project is the Corridor Cities Transitway (CCT). This project, the responsibility of the Maryland Transit Administration (MTA), working with the Federal Transit Administration (FTA), will receive both state and federal funds, so MHT needs to be consulted through both the Section 106 review and the more rigorous Section 4(f) review. This is what makes the Crown Farm a bigger planning failure, because the CCT is now planned to pass within several hundred feet of the historic buildings. It is highly unlikely that MHT will find that there is no constructive or even direct use of the farm under Section 4(f), and MTA and FTA may have to work with MHT to redesign the CCT to avoid, minimize, or mitigate this use. The original alignment of the CCT was further from the farm, and bringing the alignment closer was apparently done without regard for the greater negative impact. MTA did the Section 4(f) review in early 2002 for the more distant alignment, and it is not known if MHT has even reviewed that alignment.

MTA's apparent willingness to shift the CCT alignment for the sake of other's convenience seems to indicate an indifference to this important Federal requirement and is inexcusable. It has funded studies of the Purple Line that have identified both Columbia Country Club and the Falkland Apartments as being NRHP-eligible. MHT may require MTA to reconsider this decision. This will have to delay the signing of the annexation agreement, because neither the developer nor Gaithersburg will know where roads, parks, utilities, or property lines and buildings will be able to be placed because of the possible need to change the CCT alignment. If the proposed agreement were to go forward now and permanent actions such as platting lots and starting construction were to begin, a change required by MHT could wreak havoc on the plans of many people that could be comparable to the Clarksburg Town Center.

Gaithersburg planners bear the brunt of any local government blame because of their repeated refusals to listen to the county Historic Preservation Commission or anyone else about the need to evaluate, designate, protect, and reuse the county-designated farm. If the top planners weren't so seemingly determined to pretend that the farm didn't exist, they might have taken more seriously the fact that the farm was NRHP-eligible.

Finally, the developer, KB Home, now could find itself in a difficult position because its due diligence before buying the Crown Farm may not have included adequate consideration for this one crucial fact. The proper evaluation of this national historic resource could cause delays and could require extensive changing of plans, and this could cost both time and money to everyone.

From: David B. Humpton
To: Warren Johnson
Date: 07/31/2006 11:11:54 AM
Subject: RE: Crown Farm annexation and National Register-Eligibility

Dear Mr. Johnson,

Thank you for your email. A copy of it will be sent to the Mayor and City Council in their next reading package and a copy of it will be placed in the public record.

We thank you for your interest in this project.

Sincerely,

David B. Humpton
City Manager
City of Gaithersburg

195

>>> "Johnson, Warren" <Warren.Johnson@parsons.com> 07/31/2006 7:59 AM >>>
Mayor Katz and Members of the City Council,

The buildings at Crown Farm are a unique example of an important, and sometimes forgotten, part of Gaithersburg history. The agricultural heritage of our portion of Montgomery County is an important part of the origins of Gaithersburg. The cluster of buildings at Crown Farm, as well as the other homes located in the proposed annexation area, are valuable historic resources exemplifying this heritage. The initial visit by the HPAC to the site has convinced me that the several of the structures can be adapted to new use as our city grows. I urge you to make the changes to the Annexation Agreement that are necessary to make it clear that HPAC and the HDC will have the opportunity to evaluate and ensure preservation of all historic resources in the annexation area.

Thank you for your consideration of this matter.

Warren Johnson
104 Chestnut Street
Gaithersburg, MD 20877

CC: Doris Stokes; Greg Ossont; Sidney Katz

From: David B. Humpton
To: jachristen@aol.com
Date: 08/03/2006 8:33:23 AM
Subject: Re: Crown Farm Annexation

Dear Judith Christensen:

Thank you for your email. A copy of it will be sent to the Mayor and City Council in their next reading package and placed in the public record.

Thank you for your interest in this project.

Sincerely,

David B. Humpton
City Manager
City of Gaithersburg

196

>>> <jachristen@aol.com> 08/02/2006 4:54 PM >>>

Dear Mayor Katz and members of the Council:

Crown Farm is welcome to Gaithersburg and will provide more housing and commercial. However, the National Register eligible Crown Farm property should be maintained and preserved. It can only enhance this parcel and development and provide opportunities for open space and community gathering places. It has been listed as a historic site for many years and has been found significant to Montgomery County and the State. Every effort to keep it should be made. Please ensure that the annexation agreement does have language to protect the existing historic resources.

Thank you for the opportunity to comment.

Judith Christensen
6 Walker Avenue
Gaithersburg.

Check out AOL.com today. Breaking news, video search, pictures, email and IM. All on demand. Always Free.

CC: Felton, Fred; Ossont, Greg; Sidney Katz; Stokes, Doris

From: David B. Humpton
To: Diana Eldridge
Date: 08/01/2006 9:05:15 AM
Subject: Re: Please preserve Crown Farm

Dear Ms. Eldridge - Thank you for your email. A copy of it will be sent to the Mayor and City Council in their next reading package and a copy of it will be placed in the public record.

We thank you for your interest in this project.

Sincerely,

David B. Humpton
City Manager
City of Gaithersburg

197

>>> Diana Eldridge <hantayo0210@yahoo.com> 08/01/2006 8:44 AM >>>

Preservation of historic and beautiful farmland is essential! In America we are fast losing our wonderful rural heritage, due to unchecked development. I am writing from Shepherdstown, West Virginia; in my region during the last few years I've watched farm after farm go under. Like plants and animals, once our farms are gone we can't get them back and we've lost something priceless!

My fellow artists have often painted at Crown Farm, and tell me it is a lovely and memorable place. I will be painting there this weekend. Crown Farm deserves to be preserved!

Most sincerely,

Diana E. Eldridge

See the all-new, redesigned Yahoo.com. Check it out.

CC: Ossont, Greg; Sidney Katz; Stan Alster; Stokes, Doris